

Warrick County Employee Handbook



Adopted by the
Warrick County Board of Commissioners

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Employee Acknowledgement Form

PERSONNEL POLICIES HANDBOOK

Welcome to Warrick County! Our employees are a vital part of an administration that is dedicated to effectively and efficiently serving the citizens of Warrick County. As County employees, we strive to provide outstanding service to all Warrick County citizens.

USE AND REVISION OF WARRICK COUNTY EMPLOYEE HANDBOOK

The Warrick County Employee Handbook is designed to provide employees with information about working conditions, employee benefits, and some of the policies affecting employment. Elected officials, department heads, and employees should read, understand, and follow all provisions of the Employee Handbook. These policies describe many employee responsibilities and outline the programs developed by Warrick County to benefit our employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

Nothing in this policy is intended to, in any sense, constitute a contract of employment or an expectation of continued employment. Warrick County is an AT-WILL employer, which means the employee may resign at any time and the employer, Warrick County, may terminate an employee at any time with or without cause. For the avoidance of all doubt, this Employee Handbook is **not** a contract of employment.

No employee handbook can anticipate every circumstance or question about policy. As Warrick County continues to grow, the need may arise to change policies. Warrick County, therefore, reserves the right to revise, supplement, or rescind any policies or portion of the Employee Handbook from time to time as it deems appropriate, at its sole and absolute discretion. Employees will, of course, be notified of such changes as they occur.

Although we believe the descriptive materials contained in the employee handbook are accurate, some sections, such as the section regarding insurance, are only summaries. Any discrepancies between these summaries and the terms of the actual plans will be governed by the terms of the underlying, more detailed policies and procedures. Any questions regarding summaries, their underlying policies and procedures, if applicable, and any discrepancies between them should be directed to your elected official, department head, or the Human Resources Manager.

The policies detailed in this handbook supersede all County personnel policies previously in effect.

EXCEPTIONS AND SPECIAL CONDITIONS

These policies and procedures apply to all employees, except when in conflict with special employment conditions set forth for elected officials, when in conflict with various statutes governing employment relationships, or when in conflict with specific provisions of employment contracts entered into by the Warrick County Commissioners.

For employees of the Highway Department, Parks and Recreation Department, or Sheriff's Office:

To the extent any policies, procedures, or benefits contained in this Employee Handbook are also covered or addressed by standard operating procedures issued by the Highway Department, Parks and Recreation Department, or Sheriff's Office, then the standard operating procedures of such department or office shall control with respect to said respective employees.

*Highway Department employees shall refer to Indiana Department of Transportation for specific drug testing policies and procedures.

PROBLEM RESOLUTION

The policies contained in this Employee Handbook apply to all Warrick County employees, except when in direct conflict with special employment conditions set forth by various statutes governing employment relationships.

SEVERABILITY

The policies and procedures contained in this Employee Handbook are subject to all applicable federal and states laws and Warrick County rules and regulations and shall be interpreted wherever possible so as to comply fully with such laws, provisions, or any judicial interpretations. If an article or section of this Handbook shall be held invalid by operation of law or tribunal or competent jurisdiction, or compliance with or enforcement of any article or section of this Handbook shall be restrained by such tribunal, the remainder of this and any amendments thereto shall not be affected and shall remain in full force and effect. Warrick County reserves the right to delete, modify, or amend the policies contained herein or institute new policies as needed.

INDEMNIFICATION

In the event that an Elected Official/Department Head or any other County employee becomes a defendant, either in his/her representative capacity or individually, in any litigation arising out of the administration of any policy in this Employee Handbook, the County and/or its insurers shall defend the employee of that action and pay any judgment entered in the action provided by the County, so long as the Elected Official/Department Head or County employee has made a good faith effort to comply with the terms and conditions set out in this Handbook.

ENABLING ORDINANCES

This Employee Handbook shall be approved by Ordinance passed by the Board of Commissioners of Warrick County. The terms and conditions of this Handbook shall be incorporated by reference in the Salary Ordinance approved annually by the Warrick County Council. The terms and conditions set out herein shall be deemed a condition of compensation.

AMENDMENTS

This Employee Handbook may be amended from time to time by an Ordinance in substantially the same form approved by the Board of Commissioners of Warrick County. Any amendments shall be distributed to each Department of the County and shall be conspicuously posted for at least ninety (90) days throughout the offices of the County after their passage.

1. PERSONNEL ADMINISTRATION

Representatives of the Warrick County Board of Commissioners, County Council, and the Human Resources Manager shall review the personnel policies and make recommendations for modifications.

It shall be the responsibility of the Warrick County Board of Commissioners, Warrick County Commissioners Attorney, and the Human Resources Manager to interpret these policies and procedures, to ensure that they are administered in a consistent and impartial manner, and to provide oversight and approval as required.

1.1. DEFINITIONS

The following definitions apply throughout the text of the Employee Handbook. Any questions about the interpretation of these definitions should be directed to the Human Resources Manager.

- i. **“Anniversary Date”** refers to the date an employee becomes a full-time employee.
- ii. **“At Will”** refers to the nature of the employment relationship, which means that the employee may resign at any time and the County may terminate the employee at any time with or without cause.
- iii. **“Continuous County Employment”** refers to a term of employment with the County which has been uninterrupted and during which the employee has not ceased employment with the County for any period of time.
- iv. **“County”** or **“Warrick County”** refers to all divisions of Warrick County government. The term includes the offices of the Auditor, Board of Commissioners, Courts, Clerk, Coroner, Assessor, Council, Public Defender, Prosecutor, Recorder, Sheriff, Surveyor, Treasurer, and all other County offices, boards and departments.
- v. **“Date of Termination”** refers to the last date a terminated employee actually worked for the County. Vacation and sick leave may not be used towards determination of an employee’s date of termination.
- vi. **“Department Head”** refers to those individuals appointed to manage a department of the County.
- vii. **“Dependent”** refers to an employee’s spouse, child, step-child, foster child, or adopted child, as applicable.
- viii. **“Elected Officials”** refers to those individuals elected to the following offices: Auditor, Board of Commissioners, Judge, Clerk, Coroner, Assessor, Council, Prosecutor, Recorder, Sheriff, Surveyor, and Treasurer.
- ix. **“Employee”** refers to all persons employed by the County including appointed department heads and supervisors. Any persons paid by the County and or receives County benefits (including but not limited to vacation time, sick time, health insurance) are County employees. The term does not include Elected Officials.
- x. **“Employee Handbook”** or **“Handbook”** refers to this Employee Handbook, as may be amended.
- xi. **“Exempt”** or **“Exempt Employees”** are those employees that are excluded from specific overtime provisions of Federal and State law. Exempt employees are not entitled to overtime compensation or compensatory time off.

- xii. **“Full-Time Employees”** are those not assigned to part-time or temporary statuses. Full-time employees work throughout the year and not on a seasonal basis. Full-time employees are eligible for the County’s benefit package, subject to the terms, conditions, and limitations of each benefit program. A full-time employee is, for a calendar month, an employee employed on average at least thirty (30) hours of service per week, or one hundred thirty (130) hours of service per month.
- xiii. **“Non-Exempt”** or **“Non-Exempt Employees”** are those employees that are entitled to overtime compensation/compensatory time off under specific provisions of Federal and State laws.
- xiv. **“Part-Time Employees** are those not assigned to full-time or temporary statuses and who regularly work less than thirty (30) hours per work week. Part-time employees work throughout the year and not on a seasonal basis. Part-time employees may occasionally work additional hours based on staffing and business needs of the County. Part-time employees retain such status unless and until expressly notified of a change in employment status. Part-time employees receive all legally-mandated benefits (such as worker’s compensation and social security benefits), but they are not eligible for the County’s other benefit programs.
- xv. **“Public Safety Employees”** *are those employees in the highway department, sheriff’s office, and central dispatch.
- xvi. **“Supervisor”** means those individuals who are not Elected Officials or Department Heads, but who are employed by the County to oversee employees and who may report to one or more Elected Officials or Department Heads.
- xvii. **“Temporary Employees”** * are hired as interim replacements to temporarily supplement the County workforce, assist in the completion of a specific project, or work on an hourly basis averaging usually less than twenty-eight (28) hours of work per week, depending upon staffing and business needs of the County. Employment assignments in this category are of a limited duration, usually of ninety (90) days or less depending upon staffing and business needs of the County. Temporary employees retain such status unless and until notified of a change in employment status. Temporary employees receive all legally-mandated benefits (such as worker’s compensation and social security), but are not eligible for the County’s other benefit programs.

1.2 MANAGEMENT RIGHTS

Warrick County, as a public employer, retains the sole and exclusive responsibility and authority to manage and direct, on behalf of the public, the operations and activities of the County to full extent authorized by law. Such responsibility and authority shall include, without limitation, the right to:

1. direct the work of its employees.
2. establish policy.
3. maintain the efficiency of public operations.
4. design and implement safety programs for employees.
5. design and implement job training for employees.
6. determine what services shall be rendered to the public.
7. determine job content and job descriptions.
8. determine, effectuate and implement the objectives and goals of the County.

9. to establish, allocate, schedule, assign, modify, change and discontinue County operations, work shifts and working hours.
10. establish, modify, change and discontinue work standards.
11. hire, examine, classify, train, transfer, assign and retain employees;
12. suspend, discharge or take other disciplinary action against employees in accordance with applicable law and to relieve employees from duties due to disciplinary reasons or other legitimate reasons, and make promotions and demotions.
13. change, modify and alter the composition of the work force.
14. determine, establish, set and implement policies for the selection, training and promotion of employees; in accordance with applicable law.
15. establish, implement, modify and change procedures and policies for the safety, health and protection of the County property and personnel.
16. adopt, modify, change, enforce or discontinue any existing rules, regulations, procedures and policies which are not in direct conflict with any provisions of this agreement.
17. establish, select, modify, change or discontinue equipment, materials and the layout and arrangement of equipment.
18. determine the size and character of inventories and their disposal.
19. control the use of property, machinery inventories, and equipment owned, leased or borrowed by the County.
20. determine the location, establishment, and organization of new departments, divisions, subdivisions, or facilities thereof, and the relocations of departments, subdivisions, locations and the closing and discontinuance of the same.

The above enumeration of management rights is not inclusive of all such rights, and all rights granted the County by constitution, statute, charter, ordinance or in any manner are retained by the County.

1.3. PRODUCTIVE WORK ENVIRONMENT

One of the County's objectives is to provide a work environment that is conducive to both personal and professional growth. Verbal or physical conduct by any Elected Official/Department Head/Supervisor or employee which harasses, disrupts, or interferes with another's work performance, or which creates an intimidating, offensive, or hostile environment will not be tolerated.

1.4. EMPLOYMENT ELIGIBILITY VERIFICATION

The Immigration Reform and Control Act (IRCA) requires all U.S. employers to be responsible for verifying the employment eligibility and identity of all employees hired to work in the United States after November 6, 1986. To comply, the County is required to complete Employment Eligibility Verification forms (I-9 Form) for all employees, including U.S. citizens.

The compliance procedure for the I-9 Form stipulates that employees complete the Employee Section of the I-9 Form no later than the first (1st) day of work. Per the U.S. Citizenship and Immigration Services (USCIS) handbook, employees must provide for review original, verifiable documents from those listed as "acceptable" on the I-9 Form (no later than the third (3rd) business day from hire) to verify identity and eligibility to work in the United States. If employment will be less than three (3) days, said documents must be presented on or before start date of employment. If you have questions about what documentation is required, please contact the Human Resources Manager. Should I-9 procedures require re-verification, the

County will follow the USCIS I-9 handbook procedures regarding the allowable time employees have to provide required documents.

Per I-9 compliance requirements, employees who cannot provide verifiable documentation by the required deadlines will be terminated from employment. Employees found to have knowingly provided false documents, or falsified their I-9 forms or other employee records, may be subject to disciplinary action up to and including termination.

1.5. E-VERIFY

As an E-Verify employer, Warrick County will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's I-9 Form to confirm work authorization. Employment eligibility verification through E-Verify will also be required for current employees who begin work on covered Federal grants or contracts but who previously have not been entered into E-Verify.

1.6. ELIGIBILITY FOR LOCAL PUBLIC BENEFITS

All County employees shall complete a Verification of Eligibility for Local Public Benefits Form to ensure entitlement to a Federal public benefit as defined by Ind. Code 12-32-1-2, and State or Local public benefits as defined by Ind. Code 12-32-1-3. This form shall be administered and retained by the Human Resources Manager as required by law.

1.7. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

Warrick County is compliant with applicable requirements and standards of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and has established guidelines regarding the privacy of individually identifiable health information accordingly.

Warrick County has designated the Human Resources Manager as the County's "privacy official" who is responsible for developing and implementing privacy policies and procedures. The Human Resources Manager is the contact person who is responsible for receiving complaints regarding compliance.

All County HIPAA inquiries shall be directed to the Human Resources Manager.

2. EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION

It is the policy and practice of Warrick County Government to assure that no person will be discriminated against, or be denied the benefit of any activity, program, or employment process in any area of employment, including, but not limited to: recruitment, advertising, hiring, promotion, transfer, demotion, discipline, layoff, termination, rehiring, compensation, rates of pay, benefits, programs, training, development opportunities, and all other terms, conditions, and privileges of employment in accordance with applicable Federal, State, and local laws.

Warrick County is strongly committed to non-discrimination and equal opportunity in all employment actions for qualified persons without regard to actual or perceived race, color, national origin, religion, age, mental or physical disability, sex, gender, pregnancy, sexual orientation, transgender status, gender identity, genetic information, veteran status, or any other legally protected characteristic or classification. It is also the policy of Warrick County Government to provide a workplace that is free from retaliation and prohibits retaliation for any reason including, without limitation, reporting what the employee perceives to be discriminatory or harassing conduct to any Elected Official, Department Head, or Human Resources. In

implementing this Equal Employment Opportunity, Non-Discrimination Policy, Warrick County will do the following:

1. Give consideration to all qualified applicants for available positions without regard to actual or perceived race, color, national origin, religion, age, mental or physical disability, sex, gender, pregnancy, sexual orientation, transgender status, gender identity, genetic information, veteran status, or any other legally protected characteristic or classification.
2. Ensure that personnel actions, such as promotion, transfer, demotion, discipline, layoff, termination, rehiring, establishing compensation and pay rates, benefits, programs, training, and development are administered without regard to actual or perceived race, color, national origin, religion, age, mental or physical disability, sex, gender, pregnancy, sexual orientation, transgender status, gender identity, genetic information, veteran status, or any other legally protected characteristic or classification.
3. Provide training to employees on workplace discrimination, harassment, and retaliation.
4. Ensure that postings and recruitment advertisements will include the County's Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy and all hiring and promotional decisions shall be conducted in accordance with said Policy.
5. Provide reasonable accommodations for qualified applicants and/or employees with physical and/or mental disabilities that will enable them to perform the essential functions of their job.
6. Regularly review and update job specifications/descriptions to properly identify the essential functions of the position and job-related requirements.
7. Place and maintain workplace Equal Employment Opportunity posters in conspicuous locations.
8. Promote inclusion and diversity in all levels of the workforce.
9. Ensure that employees and applicants are not subjected to intimidation and/or harassment, retaliation, threats, coercion, or discrimination because they have filed a complaint, assisted, or participated in an investigation or any other protected activity or opposed an unlawful act or practice.
10. Base advancement to positions of greater responsibility and/or promotions on an individual's qualifications and demonstrated performance and ensure that all such advancement/promotion decisions shall be conducted in accordance with the County's Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy.
11. Charge Elected Official/Department Head/Supervisor with the responsibility to implement this Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy and ensuring conformance by all Warrick County employees.
12. Ensure that any Elected Official/Department Head/Supervisor who is aware of discrimination, harassment, or retaliation in the workplace will immediately report incident to Human Resources Manager who will investigate and take prompt, reasonable, and remedial action sufficient to rectify the matter. Department Head/Supervisors who fail to administer and/or adhere to this Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy may be subject to discipline up to and including termination.
13. Require that any Warrick County employee who engages in conduct that is harassing, discriminatory, and/or retaliatory will be subject to discipline up to and including termination.

2.1 IMPLEMENTATION AND RESPONSIBILITIES

Elected Officials/Department Heads and Supervisors

Warrick County is committed to preventing and/or eliminating harassment, discrimination, and retaliation in the workplace. Elected Official/Department Head/Supervisors play an important role in creating healthy work environments by modeling their own self-awareness and appreciation of diversity in the workplace. They are also in the best position to hold all employees accountable for creating and maintaining a professional atmosphere. All Elected Official/Department Head/Supervisors are responsible for ensuring compliance with the Warrick County Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy.

Elected Officials/Department Heads and Supervisors shall:

1. Administer the County's Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy.
2. Assure that recruitment for vacancies is handled in a manner that is consistent with the County's Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy.
3. Prevent and correct any identifiable discrimination, harassment, or retaliation and take prompt, reasonable, remedial action to address the issue, including reporting such conduct to the Human Resources Manager.
4. Create and maintain a work environment free of discrimination, harassment, and retaliation.

2.2 EEO OFFICER

The Human Resources Manager also serves as the County's Equal Employment Opportunity (EEO) Officer. As the EEO Officer, the Human Resources Manager has the responsibility for effectively administering and promoting a program of equal employment opportunity with respect to Warrick County employees and providing confidential counseling or consultation for management in the development and implementation of agency EEO plans and programs, and in matters involving EEO concerns or complaints alleging discrimination, harassment and/or retaliation.

The Human Resources Manager shall:

1. Assume and perform the duties and responsibilities of EEO Officer for the County.
2. Comply with the goals and objectives of Warrick County Equal Employment Opportunity, Non-Discrimination, and Anti-Discrimination programs and policies.
3. Provide subject matter advice to Elected Officials/Department Heads and Supervisors.
4. Ensure appropriate and reasonable investigation in response to complaints alleging unlawful workplace discrimination, harassment, and/or retaliation.
5. Monitor the procedures and disciplinary actions of all alleged discrimination, harassment, and/or retaliation complaints to ensure that applicable County policies and procedures are followed.

2.3 AMERICANS WITH DISABILITIES ACT

It is the intent and policy of the County that qualified individuals with disabilities participate in, and receive the benefit of, the services, programs, and activities of the County. In observing and

complying with all applicable requirements of the Americans with Disabilities Act (ADA), the County is committed to non-discrimination against qualified individuals with respect to job application processes, job training, and other terms, conditions, and privileges of employment.

Warrick County will reasonably accommodate qualified individuals with a disability on a case-by-case basis, which may include making County facilities readily accessible to individuals with a disability, restructuring jobs, modifying work schedules, modifying equipment, or other similar accommodations. For information on ADA or to request an accommodation, please contact the Human Resources Manager.

Warrick County values each individual's civil rights and wishes to provide equal opportunity and equitable service for the citizens of this County. As a recipient of Federal funds, Warrick County is required to conform to Title VI and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under, any program or activity receiving Federal financial assistance from the U.S. Department of Transportation ("DOT") on grounds of race, color, age, sex, disability, national origin, or income status.

Warrick County shall comply with Title VI 49 CFR § 26, and its related statutes and regulations, to ensure that no person is excluded from participation in, denied benefits of, or subject to discrimination under, any program or activity receiving Federal financial assistance from the DOT on the grounds of race, color, or national origin. Warrick County will continue to develop additional manuals and directives as needed to provide guidance regarding Title VI and ADA compliance and will be made available where appropriate.

Any employee who feels they have received treatment that is inconsistent with this policy or any requirement of the ADA may file a complaint within one hundred eighty (180) days of the date the alleged discriminatory act or practice took place. Such complaint may be filed with the Human Resources Director, the Board of Commissioners, or the Equal Employment Opportunity Commission.

2.4 ANTI-BULLYING

a. Objective

The purpose of this policy is to communicate to all employees, including Elected Official/Department Head/Supervisors, that Warrick County Government will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

b. Definition

Warrick County Government defines "bullying" as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others. Such behavior violates Warrick County Government's personnel policies, which clearly state that all employees will be treated with dignity and respect.

c. Reporting Requirement

Individuals who believe that they have been subjected to bullying or threatening behavior from either a co-worker, Elected Official, Department Head, or Supervisor should make it clear that such behavior is offensive to them and that it should stop. Moreover, the affected employee or any witness to such conduct shall bring the matter to the attention of his/her immediate Elected Official/Department Head/Supervisor. If the employee's Elected Official/Department Head/Supervisor is the source of the bullying or threatening behavior, the employee and/or witness(es) shall report the conduct immediately to the County's Human Resources Manager or

to a County Commissioner with whom the employee and/or witness feels comfortable making such a complaint.

d. Investigation

Warrick County takes allegations of bullying or threatening behavior seriously. Upon receipt of a complaint or report of bullying or threatening conduct, Warrick County will undertake to investigate any/all complaints. It is the duty and obligation of any employee who is subject to bullying or threatening behavior or who witnesses such conduct to report same to the County so that it can take prompt remedial action to alleviate the wrongful conduct.

e. Anti-Retaliation Policy

It is the intent of Warrick County for its employees to be able to report acts of bullying or threatening behavior without fear of retaliation. An employee who retaliating against another employee who has, or intends to, register a complaint of bullying or harassing behavior is strictly prohibited and will result in disciplinary action against the retaliating employee up to and including termination. If an employee believes that he/she has been retaliated against for reporting bullying or threatening behavior, the employee shall report same to the employee's Elected Official/Department Head/Supervisor, the County's Human Resources Manager, or to the County Commissioner with whom the employee feels comfortable making such a complaint. To the extent reasonably possible, complaints will be dealt with in a confidential manner. In fulfilling the commitment of Warrick County to maintain a safe and productive work environment, Warrick County will endeavor to halt any bullying or threatening behavior which is brought to the County's attention and take disciplinary action reasonably calculated to prevent any future bullying or threatening behavior against an employee.

2.5 GENETIC INFORMATION NON-DISCRIMINATION AND RECORDKEEPING

Any genetic information in County records will be kept confidential and not be disclosed unless that disclosure is allowed or required under law. Such circumstances may include disclosure to the employee upon request; to a health researcher; as directed by a court order; to a government official investigating compliance with the GINA; or in connection with federal and state family and medical leave act provisions.

2.6 NON-DISCRIMINATORY SERVICE

Warrick County Government is committed to ensuring that all constituents, vendors, visitors, and people we serve or otherwise conduct business, are treated with respect regardless of their race, sex, sexual orientation, transgender status, age, color, religion, national origin, ancestry, citizenship status or physical or mental disability.

3. EMPLOYMENT POLICIES

The policies contained in this chapter and throughout Warrick County Personnel Policies Handbook apply to all Warrick County employees, except when in direct conflict with special employment conditions set forth by various statutes governing employment relationships.

3.1 RECRUITMENT

Authorization to recruit and hire or to otherwise fill a vacancy in an existing or newly created position rests solely with the duly authorized Elected Official or Department Head and the Human Resources Manager.

Basic qualifications of formal education, background, and experience shall be based upon job requirements as well as dictates of applicable Federal, State, and local laws and approved by the Board of Commissioners.

When a job vacancy occurs within an Office or Department, the Elected Official or Department Head shall immediately notify the Human Resources Manager. The Office or Department may fill the position by promotion or transfer within the Office or Department without posting or advertising the position as available. The County encourages internal promotion and transfer whenever reasonably possible.

Unless a position is to be filled by promotion or transfer from within the Office or Department, the Human Resources Manager shall distribute information regarding vacancies and new positions as follows:

1. Internal posting in each County Office or Department for a minimum of three (3) days.
2. If no qualified internal candidates apply or are selected, the position will be posted externally through the County website and other sources of social media by the Human Resources Manager. At the discretion of Human Resources, in conjunction with the Elected Official or Department Head, newspaper and online advertising may be used as well in recruiting employees.
3. A notice of job vacancy posted internally or externally shall contain the following:
 - a. The title of the available position;
 - b. A brief summary of the duties and responsibilities;
 - c. Minimum education and experience requirements;
 - d. The pay range;
 - e. The deadline, if any, and the place for submission of the resume and/or application; and
 - f. A statement that the County is an "Equal Opportunity Employer."

If an office/department hires an individual to stand-in for a full-time employee on a leave of absence, the Elected Official/Department Head shall contact the Human Resources Manager to confirm the individual's employment status and eligibility for benefits.

3.2 COURT SYSTEM RECRUITING AND HIRING

The judges of the Warrick Superior and Circuit Courts have the authority to appoint a Bailiff, Court Reporter, and other employees necessary to carry out the business of the Court pursuant to Ind. Code 33-33-87-21, 33-29-1-4, and 33-29-1-5. The Warrick County Prosecutor is authorized to appoint Deputy Prosecuting Attorneys and Investigators for the Warrick County Prosecutor's Office pursuant to Ind. Code 33-39-6-2 and 33-39-4-1. The County Sheriff has the authority to appoint the Jail Matron pursuant to Ind. Code 36-8-10-5. If other positions within the County government are governed by statute with respect to the power to appoint, the statutory authority will take precedence over the hiring process set forth herein.

3.3 EMPLOYMENT APPLICATIONS

Any and all applicants for a vacant position are required to fully complete a Warrick County Employment Application. The county will only accept employment applications in conjunction with a posted position. This standardized job application form shall be submitted to and maintained by the Human Resources Manager. The Human Resources Manager shall provide Elected Officials and Department Heads with copies of all employment applications submitted for a vacant position within such Office or Department.

The County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data or information presented or disclosed by an applicant throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any form may result in the County's exclusion of an applicant from further consideration for employment, or if the person has been hired, termination of employment.

Submission of an employment application with the County does not mean that an applicant will be interviewed. Equal consideration will be given to all applicants based on qualifications listed for the job.

Applications for employment shall be returned to the Human Resources Manager prior to hiring or being placed on the County payroll.

Warrick County Government is an equal opportunity employer. Accordingly, Warrick County does not discriminate in employment on account of race, color, religion, ancestry, age, national origin, citizenship status, pregnancy, disability, sex, sexual orientation, transgender status, gender identity, genetic information, marital status, or United States military service veteran status or unfavorable discharge from military service.

3.4 APPLICANT TESTING

Applicant tests, including, but not limited to, written tests to measure skills related to position, mechanical or physical agility, and psychological tests, may be used by the County, in its sole and absolute discretion, as part of the selection process for certain positions. Such tests are to be related to the requirements of the position. The Board of Commissioners must approve the use of any tests as part of the selection process for a position.

3.5 PRE-EMPLOYMENT INTERVIEWS

Warrick County may conduct pre-employment interviews to gather information and screen applicants for County employment. Such interviews shall be conducted by the Elected Officer/Department Head making the employment decision and the Human Resources Manager. Elected Officials/Department Heads shall notify the Human Resources Manager in order to review the recruiting, interview, and hiring process, as well as coordinate new hire requirements, schedule orientation and training, and establish a work start date with the successful applicant.

3.6 CONDITIONAL OFFER OF EMPLOYMENT

Applicants may receive a conditional offer of employment conditioned on the successful completion of all established prerequisite requirements of the position, which may include, without limitation, passing medical, physical, and/or mental examinations or requirements, and/or reference and criminal background checks.

3.7 OFFER OF EMPLOYMENT

Applicants who receive a conditional offer of Employment are not employees of the County unless and until they receive an official Offer of Employment from the Human Resources Manager.

The Offer of Employment will outline:

- Position/Department;
- Employment Status;
- Work Schedule;

Pay Rate;
Probationary Period;
FLSA status;
Benefits Eligibility; and
Required Position Certifications.

The Offer of Employment is contingent on satisfactory proof of permission to work in the United States of America, and the receipt of satisfactory references. All offers of employment for all County positions are conditioned on the prospective employee's undergoing a background check.

An Offer of Employment must be signed by the applicant as well as the Elected Official/Department Head of the office or department within which the applicant will be working, and be submitted to the Human Resources Manager before the applicant is considered an employee of Warrick County. Any and all Offers of Employment shall be maintained by the Human Resources Manager.

3.9 EMPLOYMENT CATEGORIES

It is the intent of the County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. Each employee is assigned to one of the following employment categories. Any changes to an employee's employment status shall be made in writing by the Human Resources Manager. No change to an employee's employment status is to be construed or inferred without written notification from the Human Resources Manager.

1. **Probationary employees** are those employees are not assigned to a FTTPR, FTA, or PT status. During the probation period, probationary employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. Probationary employees may also be eligible for other employer provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.
2. **FULL-TIME PUBLIC RETIREMENT (FTPR) employees** are those employees who are not employed on a temporary, Full-time Affordable Care Act (FTA), or Part-time (PT) status, but who are employed continuously and regularly scheduled to work the County's full-time schedule – i.e., thirty-five (35) hours a week for fifty-two (52) weeks a year – and whose salaries fall within the County's annual budget. FTPR employees are eligible for the following benefits as described elsewhere in this Handbook: Paid Vacation Leave, Paid Holidays, Paid Sick Leave, Paid Bereavement Leave, Paid Jury Duty, Worker's Compensation, Leave of Absence Without Pay, Social Security benefits, and Health Insurance.
3. **FULL-TIME AFFORDABLE CARE ACT (FTA) employees** are those employees who are not employed on a temporary, FTTPR, or PT status, but who are employed continuously and are regularly scheduled to work between twenty-eight (28) and thirty-four (34) hours a week for fifty-two (52) weeks a year and whose salaries fall within the County's annual budget. FTA employees are eligible for legally mandated benefits such as Health Insurance, Worker's Compensation, and Social Security benefits subject to the terms, conditions, and limitations of each benefit program. FTA employees are not eligible for any of the County's other benefit programs.

For the purposes of clarification throughout the Handbook, employees who fall within this classification will be referred to as “FTA employees.”

4. **PART-TIME (PT) employees** are those employees who are not assigned a temporary, FTPR, or FTA status, and who are scheduled to work less than twenty-four (24) hours per week with a maximum threshold of twenty-eight (28) hours per week, with the exception of mandatory certification training required for the position. PT employees are eligible for legally mandated benefits such as Worker’s Compensation and Social Security benefits subject to the terms, conditions, and limitations of each benefit program. PT employees are not eligible for any of the County’s other benefit programs.

For the purposes of clarification throughout the Handbook, employees who fall within this classification will be referred to as “PT employees”.

5. **Temporary employees** are those employees who are hired as interim replacements to temporarily supplement the work force or to assist in the completion of a specific project and are not assigned a FTPR, FTA, or PT status. It is the policy of the County that a temporary employee who works for one hundred twenty (120) days in a calendar year shall not be rehired by the County without a minimum of six (6) months separation period between temporary engagements. Employment of a temporary employee beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain said status until notified in writing of such change by the Human Resources Manager.

Temporary employees are eligible for legally mandated benefits such as Worker’s Compensation and Social Security benefits subject to the terms, conditions, and limitations of each benefit program. Temporary employees are not eligible for any of the County’s other benefit programs. The County Council sets the Temporary compensation rates for all positions.

3.10 PROBATIONARY PERIOD

All new and rehired employees, regardless of their status (i.e., FTR, FTA, PT, or temporary), are employed on a probationary basis until they have completed the first ninety (90) days of their employment, except when in conflict with statutory requirements (such as merit officers of the Sheriff’s Office whose introductory period is one [1] year). The first ninety (90) days of an employee’s employment are a trial period designed to determine whether an employee is suited to the job and capable of satisfactorily performing the work assigned, as well as giving an employee the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations.

Notwithstanding the foregoing, the Board of Commissioners, in its sole discretion, may extend the probationary status of a probationary employee beyond the initial ninety (90) day period. Upon satisfactory completion of the probation period, the employee will qualify as a FTR, FTA, PT, or a temporary employee, as applicable. Disciplinary processes and disciplinary policies outlined in this Handbook otherwise required to be followed by the County do not apply to employees during their probationary period, whereby an unsatisfactory rating at any time during the probationary period may result in termination of employment either immediately or at the end of the probationary period. Notwithstanding the foregoing, probationary employees are nevertheless bound by the personnel and conduct policies as specified in this Handbook. Any significant absence will automatically extend the introductory period by the length of the

absence. If the County determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period. Requests for such extensions of probationary status should be put in writing and provided to the Human Resources Manager.

3.11 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who are employed by the County are well qualified and have a strong potential to be productive and successful, it is the policy of the County to check the employment references of all applicants.

For employment reference checks requested by outside employers of past or current County employees, the County will respond in writing only to those reference check inquiries that are submitted in writing.

Responses by the County to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released by the County without written authorization and a release signed by the individual who is the subject of the inquiry.

3.12 BACKGROUND CHECK POLICY AND PROCEDURE

Warrick County may conduct a background check on all applicants for employment as well as for those current employees seeking promotion or transfer. Information sought or collected as part of a background check may include, without limitation, the following:

- Social Security Verification: validates the applicant or employee's Social Security number, date of birth, and former addresses.
- Prior Employment Verification: confirms the applicant's employment with the listed entities/employers, including dates of employment, position held, and additional information available pertaining to performance, attendance, reason for departure, and eligibility for rehire.
- Personal and Professional References: communication may be made with individuals listed as references by the applicant or employee.
- Criminal History: includes review of criminal convictions and probation. The following factors will be considered for applicants or employees with a criminal history:
 - The nature of any crime and its relationship to the position of employment.
 - The date of any conviction(s).
 - The number of convictions.
 - Whether hiring, transferring, or promoting the applicant or employee would pose an unreasonable risk to the County, its employees, or patrons.

All positions that require the handling of money will require the selected applicant to meet the criteria to be bonded.

3.13 PERSONNEL FILES

The employment selection procedure shall be documented and recorded and remain strictly confidential. Except as otherwise provided, accurate personnel records shall be kept on file for each employee for a period of not less than seventy-five (75) years and may be used to substantiate employment decisions in the event of inquiry.

The County maintains five (5) separate personnel records concerning the employee's employment history.

Administrative File. This file shall contain employment application, employment data information sheets, tax withholding, direct deposit, and salary increases. This file shall be maintained by the Payroll Deputy.

Personnel File. This file shall contain a copy of the employee's driver's license and proof of vehicle insurance when required due to employment/position, educational accomplishments, records of training, disciplinary records, and other documentation concerning disciplinary actions, including grievances, attendance, and other related data, insurance/retirement enrollment forms, change in address forms and beneficiary forms. This file shall be maintained by the Human Resources Manager. Certain documents in this file shall be deemed confidential, and released only to persons on a need-to-know basis, as determined by the Human Resources Manager.

Confidential Medical File. This file shall contain all medical information, including health insurance and voluntary benefit enrollment forms, disability information, results of drug tests, worker's compensation issues, and other medically related information. This file shall be maintained by the Human Resources Manager, and shall be destroyed three (3) years after the employee is no longer employed by the County.

The employee's confidential medical file shall exempt under the Indiana Access to Public Records law.

Commercial Driver's License Records. This file shall contain an employee's Commercial Driver's License records, in accordance with Federal Highway Administration requirements. Said file shall be maintained by the Human Resources Manager and updated each calendar year.

I-9 File. This file shall contain an employee's I-9 forms, and be maintained by the Human Resources Manager.

3.14 ACCESS TO PERSONNEL FILES

Except as otherwise required by law, access to confidential personnel files shall be limited to the employee, the Elected Official/Department Head of the employee, Human Resources Manager, County Attorney, and other persons authorized by the County Attorney on a need-to-know basis. The Human Resources Manager shall not provide any information pursuant to a subpoena or court order sooner than ten (10) calendar days after the date of receipt. Within five (5) calendar days of the receipt of a subpoena, the County Attorney shall notify the affected employee(s) of the subpoena to permit the employee(s) to seek any appropriate judicial relief.

Personnel files are the property of the County, and access to the information they contain is restricted. With reasonable advance written notice, an employee may review material in his or her personnel file. Upon request, the County may provide an employee with copies of any documents contained in his or her personnel file. This Section is subject to the requirements of Indiana's Access to Public Records Act.

Except as otherwise may be required by the Indiana Access to Public Records Act, no information shall be provided to any person concerning the employment of the employee other than the information set out in this policy.

3.15 PERSONAL INFORMATION CHANGES

Each employee shall maintain with the employee's Elected Official/Department Head/Supervisor a current telephone number at which the employee may be reached or at which a message for prompt delivery to the employee can be left.

Additionally, it is the responsibility of each employee to promptly notify the Human Resources Manager of any changes relating to his or her personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, educational accomplishments, and other such status reports should be accurate and current at all times. Name and address change forms are available from the Human Resources Manager. Any unreported changes in personal status may impact an employee's eligibility under the County's benefits plans, and Warrick County specifically disclaims any liability for changes in benefits eligibility for the employee arising out of or relating to said employee's failure to report such changes to their personal status.

3.16 ORIENTATION AND PERFORMANCE EVALUATION

Orientation

All newly hired employees shall participate in a formal orientation with the Human Resources Manager at which time employees will be provided with a copy of this Handbook.

New employee orientation is intended to help facilitate an employee's transition into the organization and ensure that he or she has a clear understanding of their duties, responsibilities, and expectations. New employee orientation provides a foundation upon which new employees can build their skills and contribute to our efforts of providing responsive and effective local government services.

Elected Officials/Department Heads shall conduct an informal orientation to familiarize a new employee with their office or department.

The Warrick County Government places a very high value on providing exceptional customer and constituent service. We also recognize the importance of providing employees with the skills and resources necessary for meeting that standard of excellence, beginning with their very first day of employment.

Performance Evaluation and Improvement

Performance improvement may be suggested by an employee's Supervisor whenever the employee's performance is less than satisfactory, in the Supervisor's sole and absolute discretion. Warrick County expects all employees to perform their job duties in a safe and productive manner.

Performance reviews are conducted from time to time (but no less often than annually, at a time established by your Elected Official/Department Head) to provide an employee and his or her Elected Official/Department Head with the opportunity to discuss the employee's job responsibilities, identify weaknesses, encourage and recognize strengths, and discuss methods for improving the employee's performance.

Performance evaluations shall be confidential and shall be made available only to the employee evaluated, their Elected Official/Department Head, and the Human Resources Manager, and to a prospective Elected Official/Department Head if a transfer or promotion is being considered.

Performance evaluation forms are maintained by the Elected Official/Department Head, with a copy being provided to the Human Resources Manager annually.

3.17 OUTSIDE EMPLOYMENT/CONFLICT OF INTEREST

The County shall follow the Indiana law regarding conflicts of interest. Examples of conflict of interest may include, but are not limited to, the following:

1. Outside employment;
2. Investment/interest; and/or
3. Contractors working with County.

Employees who are provided Family and Medical Leave under the County's FMLA policy for their own serious illness or injury shall not be engaged in outside employment during such period of FMLA Leave.

While outside employment is not generally prohibited, such employment must not present a conflict of interest with an employee's County employment, impede or otherwise affect the employee's ability to properly perform his or her job duties, or interfere with his or her ability to work overtime or additional hours as needed. Further, employees must comply with the rules of ethics concerning potential conflicts of interest. Use of County equipment, materials, premises, or time in connection with outside employment is prohibited. Outside employment will not be considered a valid reason for absenteeism, tardiness, or poor job performance.

Except as otherwise provided, an employee may be employed by another organization as long as he or she satisfactorily performs his or her job responsibilities with the County. An employee must inform his or her Elected Official/Department Head/Supervisor of outside employment. An employee must file a conflict of interest statement with the County Clerk, with copies provided to the State Board of Accounts and the Commissioner's Office, whenever the employee's outside employment activities are directly or indirectly linked to the County in a business relationship. For example, and not by way of limitation, an employee must disclose to the County if the employee is an employee of, is an owner or is related to an owner of, a vendor, supplier, contractor, or independent subcontractor that has entered into, or has submitted a bid for, a contract with the County.

All employees will be judged by the same performance standards and will be subject to the employer's scheduling demands, regardless of any existing outside work requirements. If the County determines that an employee's outside work interferes with the performance or ability to meet the requirements of the employee's position with the County, as it is modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with the County.

Questions on conflict of interest should be referred to the County Commissioners.

3.18 LAYOFF AND RECALL

Warrick County maintains the right to reduce its workforce. Examples of reasons when a reduction might occur include, but are not limited to, the following:

1. Lack of work;
2. Lack of funds or projected lack of funds;
3. Job redundancy or abolishment; and/or
4. Reorganization.

When a reduction is deemed necessary, the County will determine the classifications, by office or departments, in which the layoffs shall occur and the number of employees to be laid off.

Determinations made as to which employees will be laid off may include considerations of employee performance evaluations, employee qualifications, length of continuous service, and operational needs of the County.

A recall list shall be established for each classification affected by the layoff, listing each laid-off employee in the order of layoff. Employees who are laid off shall be responsible for keeping a current address on file with the County. Failure to do so may result in the County's inability to notify the laid-off employee of his/her eligibility for reinstatement.

If positions within the office or department from which the employee was laid off become available, the department will recall employees from the recall list in the order of layoff.

In order to be recalled for employment to a position, an employee must meet the minimum hiring qualifications established for the position. A laid-off employee will remain on the recall list for a period of one (1) year from the time of the layoff.

Each recalled employee shall be allowed ten (10) calendar days from the date of receipt of a certified letter explaining the recall to return to work.

Recalled employees needing more than the ten (10) days to report to work must have written approval from their Elected Official/Department Head. Any employee accepting or declining reinstatement to the same classification from which the layoff or displacement initially occurred shall be removed from eligibility for further recall.

3.19 FULL-TIME TO ELECTED OFFICIAL EMPLOYMENT

In the event that a full-time employee is elected to a full-time Warrick County elected office, he or she shall be compensated for any unused vacation or compensatory time earned as a permanent employee. Such employee's sick days will be frozen and available for use in the event the elected official returns to a non-elected, full-time position without an interruption of more than five (5) days in County employment.

Also, if such elected official returns to a non-elective full-time position, his or her time in elected office shall count as years of service for the purpose of determining the amount of eligible vacation time or other benefits based on years of service with the County.

3.20 NEPOTISM

Effective July 1, 2012, Indiana Code 36-1-20.2 specifies that relatives may not be employed by the County in positions that result in one relative being in the direct line of supervision of the other relative. An employee who is employed by the County as of June 30, 2012, is not subject to the nepotism provision unless the employee has a break in employment with this County in the future.

"Direct line of supervision" is defined as an Elected Officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation.

Indiana Code defines "relative" to include a spouse; a parent or step-parent; a child or step-child; a brother, sister, step-brother, or step-sister; a niece or nephew; an aunt or uncle; a daughter-in-law or son-in-law; an adopted child; and a brother or sister by half blood.

There is a "Grandfathering clause" in the hiring nepotism law for current elected officials or employees with family relationships that would otherwise be in violation of the nepotism policy unless there is a break in the office holding or in employment. Grandfathered individuals may be promoted as they are not subject to Ind. Code 36-1-20.2, *et seq.* Employees hired after July 1,

2012, who in later years have relatives elected that are in the direct line of supervision will have no promotion possibilities unless the promotion is within the merit ranks for police and fire departments. Such employees do not have to be terminated unless the County deems this necessary. See, Ind. Code 36-1-20.2-11.

Annual Certification

Ind. Code 36-1-20.2-16 requires each elected officer of the unit to annually certify in writing, subject to the penalties of perjury, that the officer has not violated this chapter. An officer shall submit the certification to the executive of the unit not later than December 31 of each year.

This section does not apply to precinct election officers as identified in Indiana Code 3-6-6, or to other individuals hired on a temporary basis to work in the administration of an election held in Warrick County with respect to their service as a precinct election officer or as another type of temporary election worker.

3.21 CONTRACTING WITH THE COUNTY

The Board of Commissioners have the SOLE authority to enter into contracts on behalf of Warrick County, except to the extent that these powers and duties are expressly assigned to the other elected officers by state statute.

Effective July 1, 2012, Indiana Code 36-1-21 states that the County may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with: (1) an individual who is a relative of an Elected Official or; (2) a business entity that is wholly or partially owned by a relative of an Elected Official only if the Elected Official files a full disclosure which must:

1. Be in writing;
2. Describe the contract or purchase;
3. Describe the relationship of the official to the business;
4. Be affirmed under penalty of perjury;
5. Be submitted to the legislative body prior to final action; and
6. Be filed (within 15 days of final action) with the State Board of Accounts and the County Clerk.

If a contract is entered into with a relative, the appropriate agency of the County shall make a certified statement that the contract amount or purchase price was the lowest amount or price offered or make a certified statement of the reasons why the vendor or contractor was selected. Contracts in existence prior to July 1, 2012 are excepted.

An Elected Official that is in violation of this policy may be subject to penalties for perjury which is a Level 6 felony with up to three (3) years prison sentence. The County's failure to adopt policies or failure to include a statement in the 100-R Personnel Report under Indiana Code 36-1-21 (Contracting with a Unit) will result in the Department of Local Government Finance not approving the County's budget or any additional appropriations for the ensuing calendar year.

3.22 ELECTIVE OFFICER AND COUNTY EMPLOYMENT RESTRICTED

Indiana Code 3-5-9 specifies that a County employee is considered to have resigned from employment with the County if the employee assumes the elected executive office of the County or becomes an elected member of the County's legislative or fiscal body.

4. EMPLOYMENT HOURS, SALARY ADMINISTRATION, AND COMPENSATION

Please note that employees are required to use accrued Sick/Vacation Time or other forms of paid time off for absences for personal reasons, sickness, or disability.

4.1 COMPENSATION

Wages and salaries of employees are established in a manner compatible with the philosophy, goals, objectives, and financial resources of Warrick County, as determined by the Warrick County Council. The Warrick County Commissioners and Council strive to provide a total compensation package that is competitive with similarly situated governmental agencies based on the employee's job classification. All compensation for wages and salaries of Warrick County employees are approved annually by the Warrick County Council at publicly held budget meetings.

The Warrick County Council adopts an annual salary ordinance establishing pay rates for all County positions. The annual salary ordinance is hereby incorporated by reference in this Handbook. Pay for all positions is subject to the annual budgetary process; therefore, an employee's pay may be subject to increase, decrease, or status quo maintenance for any duration of time. An Elected Official/Department Head can make recommendations about salary compensation levels and other pay concerns, but the final decision regarding compensation levels is decided by the Warrick County Council.

4.2 NORMAL WORKWEEK

The normal work week begins on Sunday at 12:00 a.m. and ends on the following Saturday at 11:59 p.m.

4.3 WORK HOURS

Elected Official/Department Head/Supervisor may arrange individual employee work schedules, set meal periods, and/or starting and quitting times, according to the needs of each office and department.

For purposes of this Section and unless otherwise stated, "Actual Hours Worked" shall mean the hours an employee is actually working and does not include time spent on vacation or sick days.

Except for the special "tour of duty" rules applicable to law enforcement employees and as otherwise stated herein, the work week for all County employees shall consist of forty (40) hours, from 8:00 a.m. on Monday to 4:00 p.m. on Friday. Actual Hours Worked shall be thirty-five (35) hours per week. No overtime or comp time shall be earned by a nonexempt employee unless Actual Hours Worked exceeds forty (40) hours in any given week. The lunch hour each day shall be one (1) hour and shall be compensated. Employees are not required to take their lunch break within the workplace, and they shall not be required to perform any duties of said employee's position during such compensated lunch hour.

Work weeks stand alone for purposes of the Fair Labor Standards Act.; therefore, any non-exempt employee who works beyond forty (40) hours in one work week is entitled to overtime compensation at one and one-half times of the employee's standard hourly rate. Overtime/compensatory time, however, will only be allowed when authorized by the designated Elected Official/Department Head/Supervisor or in case of an emergency for specific departments.

4.4 BOARD MEMBERS

A Member of a County Board who receives compensation as a result of their Board Membership shall be paid through payroll.

4.5 BREAKS/MEAL PERIOD

Breaks

While employee rest breaks may be considered a common employment practice, there is no general rule established by state or federal law that requires employees be provided rest break time. Due to the substantial variations in work responsibilities, conditions, and management authority, the County does not specific provide or require employee rest break time. Elected Official/Department Head/Supervisor may allow some rest break time for their employees, but are under no obligation to do so. Employees who take rest breaks without the permission of their Elected Official/Department Head/Supervisor may be considered absent from work without authorization during that time.

Meal Period

Meal periods will be scheduled at the discretion of the employee's Elected Official/Department Head/Supervisor in consideration of the office or department's needs and otherwise coordinated to ensure that county offices and departments remain open for the public throughout the day.

Employees are not permitted to work through their lunch period (i.e., "working lunch") without the express prior approval from their Elected Official/Department Head/Supervisor. In this regard, employees may not work through their meal period in an attempt to accumulate compensatory time off.

Any conflict between this policy and any specific department policy or rule shall be governed by the department policy/rule as approved by the County Commissioners. Meal periods will not be counted as hours worked for the purposes of calculating pay or overtime.

4.6 SAFE HARBOR PAY POLICY

It is County policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that an employee is paid properly for all time worked and that no improper deductions are made, the employee must record correctly all work time and review his or her paychecks promptly to identify and report all errors. "Time worked" is defined as all time actually spent on the job performing assigned duties for and on behalf of Warrick County. Employees shall not engage in, and will not be compensated for, off-the-clock, undocumented, or unrecorded work.

4.7 JOB DESCRIPTIONS

Job descriptions setting forth the qualifications, duties, and responsibilities for County positions are maintained by the Human Resources Manager and County Council Administrator on behalf of the Warrick County Commissioners and the Warrick County Council. Elected Official/Department Head/Supervisor shall outline employee job responsibilities and expected performance standards. An employee will receive a general job description setting forth their position's essential functions. Please be aware that job responsibilities may change at any time during employment, in the sole discretion of the employee's Elected Official/Department Head/Supervisor. Employees may be required from time-to-time to work on special projects or

to assist with other work necessary to the County's operation, which may require the performance of job functions or duties outside of their job description. Cooperation and assistance in performing such additional work is expected. The County reserves the right to alter job responsibilities, reassign/transfer job positions, or assign additional job responsibilities in accordance with statutes, rules, and policies regarding compensation and classification.

4.8 JOB CLASSIFICATION/PAY SYSTEM MAINTENANCE

Any change in job classification or pay rate must be approved by the Warrick County Council. The Warrick County Council oversees maintenance of the job classification and pay plan. When an Elected Official/Department Head wishes to create a new position not currently classified, reorganize jobs within a department, review seniority, abolish a position, or review an employee's job classification, the required paperwork – including a review form – must be obtained from the Human Resources Manager or County Council Administrator. The completed paperwork must be returned, with all required supplemental information, to the Human Resources Manager for review, who will forward the requests to the Warrick County Council. The Warrick County Council takes final action on these requests.

4.9 FLSA TIMEKEEPING

Federal and State laws require the County to keep an accurate record of the time worked in order to calculate employee pay and benefits.

The Fair Labor Standards Act (FLSA) and Family and Medical Leave Act (FMLA) requires that certain records be kept on each covered non-exempt worker. The record must include accurate information about the employee and data about hours worked and wages earned. The County is required to maintain the following records:

1. Employee's full name, as used for social security purposes;
2. Address, including zip code;
3. Birth date if younger than 19;
4. Sex and occupation;
5. Hours worked each day, and total hours worked each workweek;
6. Basis on which the employee's wages are paid;
7. Regular hourly rate;
8. Total daily or weekly straight-time earnings;
9. Total overtime earnings for the workweek;
10. All additions to or deductions from the employee's wages;
11. Total wages paid each pay period; and
12. Date of payment and the pay period covered by the payment.

4.10 EXEMPT EMPLOYEES

Exempt employees are compensated not for the amount of time spent on the job, but rather for the general value of the services performed. Such employees are generally not hired to work a set number of hours per week, but are expected to fulfill their job responsibilities regardless of the number of hours involved and are paid a salary intended to compensate for any and all "overtime." However, exempt employees must work a minimum of sixty (60) hours during a two (2) week pay period (depending upon their required schedules) in order to be considered full-time employees and eligible for benefits accorded full-time employees.

An exempt employee will receive his or her full salary for any workweek in which work is performed. However, under federal law, an exempt employee's salary is subject to certain

reductions. In this regard, an employee's salary may be reduced for the following reasons in a workweek during which work was performed:

1. Full day absences for personal reasons;
2. Full day absences for sickness or disability;
3. Full day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others);
4. Family and Medical Leave absences (either full or partial day absences);
5. To offset amounts received as payment for jury and witness fees or military pay;
6. Unpaid disciplinary suspensions of one or more full days for significant infractions of major workplace conduct rules set forth in written policies; and/or
7. The first or last week of employment in the event you work less than a full week.

An exempt employee's salary also may be reduced for certain types of deductions, such as: the employee's portion of medical, dental, and vision insurance premiums; voluntary supplemental insurances; state, federal, or local taxes, social security; and/or voluntary contributions to a pension plan/deferred compensation plan.

An exempt employee will be required to use Sick/Vacation Time or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability. However, said salary will not be reduced for partial day absences if the exempt employee does not have Sick/Vacation Time.

4.11 INDIANA TIMEKEEPING REQUIREMENTS

Indiana Code 5-11-9-4 requires that public sector employees, apart from Elected Officials, maintain records showing which hours were worked each day by officers and employees. These records are subject to audit by the State Board of Accounts.

All County employees shall accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. Employees shall also record the beginning and ending time of any split shift or departure from work for personal reasons. These records shall be maintained by the Elected Official/Department Head or their designee.

Despite not being compensated at an hourly rate, exempt employees are also responsible for accurately recording the time they begin and end their work. Such timekeeping of exempt employees is for administrative and record-keeping purposes only, and should not be construed as entitling exempt, salaried employees to overtime and/or compensatory time benefits.

"Hours Worked" is defined as all the time actually spent on the job performing assigned duties. The Board of Commissioners may require time clocks in any office.

Elected Official/Department Head/Supervisors shall submit service records for each employee to the Auditor's Office each pay period. The County Auditor shall use the submitted services records to certify employee pay.

Tampering, altering, or falsifying time records or recording time on another employee's time record shall result in disciplinary action, including, without limitation, discharge.

4.12 WORK TIME RESTRICTED

Non-exempt employees shall not commence any work activities on behalf of Warrick County before seven (7) minutes preceding the start of the work shift or continue work activities more than seven (7) minutes after completion of the work shift, unless specifically authorized by their Elected Official/Department Head/Supervisor. Deviations of up to seven (7) minutes will not have an impact on overtime, compensatory time, or reductions in pay calculations.

4.13 ROUNDING

Time is to be recorded to the quarter hour, using the seven (7) minute rule (i.e. leeway of seven [7] minutes before and seven [7] minutes after scheduled start and stop times). All employee work commenced more than seven (7) minutes before the start time work hour will be paid on a quarter hour schedule; all employee work continued more than seven (7) minutes after the end of the last work hour will be paid on a quarter hour schedule.

4.14 MULTIPLE POSITIONS

Non-exempt employees working in more than one Warrick County position shall count the combined hours worked in more than one position in determining overtime obligations under the Fair Labor Standards Act (FLSA).

4.15 OFF-THE-CLOCK WORK, REMOTE ACCESS, AND DEVICE USE

Warrick County compensates Non-Exempt employees for work performed for the benefit of the County. Accordingly, Warrick County prohibits Non-Exempt employees who are paid on an hourly basis from performing work for the County without pay; i.e., "off-the-clock work".

It is a violation of this policy for any County employee with supervisory authority to explicitly or implicitly require any Non-Exempt employee to perform any work off-the-clock, to suggest to Non-Exempt employees that performing work for the County without compensation is acceptable, or to adjust any Non-Exempt employee's time records to deny them compensation for off-the-clock work.

It is also a violation of this policy for Non-Exempt employees to voluntarily work off-the-clock for any reason, including working during breaks/lunch breaks. While overtime may be required, all overtime must be approved by the employee's Elected Official/Department Head/Supervisor. It is never acceptable for Non-Exempt employees to work off-the-clock in order to avoid working overtime. It is the duty of anyone in a supervisory capacity who is aware that "off-the-clock work" is taking place, to make the employee aware they must either clock-in or stop performing off-the-clock work. The incident must then be reported to the employee's Elected Official/Department Head/Supervisor to avoid future occurrences.

Additionally, Non-Exempt employees generally should not use remote access devices, cell phones, smart phones, or other devices for work-related reasons outside of their regularly scheduled hours. Use of remote access and/or devices for work outside of regularly scheduled hours may be permitted only if approved by the employee's Elected Official/Department Head/Supervisor. However, in such circumstances, Non-Exempt employees must be paid for time spent performing work-related tasks, including work performed outside of their regularly scheduled hours.

The term "remote access device" as used in this policy includes cell phones, smart phones, tablets, computers, lap top computers, home computers, or any other devices with which an employee can use to work remotely. "Work" includes, but is not limited to, remotely accessing

emails, texting, phone calls, conducting research, and preparing reports for official County business.

General Provisions

Non-Exempt employees who wish to use a remote access device for any work-related reason must obtain the authorization of their Elected Official/Department Head/Supervisor prior to using the device. In addition, supervisors intending for a Non-Exempt employee to use a remote access device for work-related reasons, must obtain authorization from the Elected Official, Department Head, or their designee prior to asking any Non-Exempt employee to use such a device. Failure of the supervisor to obtain the required authorization may result in disciplinary action against the supervisor. Approved Non-Exempt employees who use remote access devices for work-related reasons outside of normal work hours shall limit their usage of such devices to emergency work that either cannot be performed during their regularly scheduled hours or that cannot be performed while they are on County premises.

This policy applies to all work that is related in any way to County business performed by a Non-Exempt employee while using a remote access device, regardless of whether or not the device was issued from the County. Non-Exempt employees who conduct work remotely without obtaining prior authorization may be subject to discipline up to and including termination.

Tracking and Recording Time

Authorized Non-Exempt employees who use remote access devices outside of their regularly scheduled hours for work-related reasons are responsible for accounting for their time and accurately recording their time on the appropriate time keeping record in order to be paid for the time worked.

Complaint Procedure for Off-the-Clock Work Violation

Any employee who believes they have been required to work off-the-clock in violation of this policy shall immediately report the matter to their Elected Official/Department Head/Supervisor, or the Human Resources Manager. In addition, employees who believe they have performed work for which they were not properly paid shall immediately report the matter to their Elected Official/Department Head/Supervisor, or the Human Resources Manager. The complaint should be detailed as possible, including the names of the individuals involved, the names of any witnesses and any documentary evidence. Once a complaint is received, the Elected Official/Department Head/Supervisor shall promptly notify the Human Resources Manager. Disclosure of the information contained in the employee's complaint will remain confidential to the extent reasonably possible.

All reported incidents of conduct prohibited by this section shall be investigated by the Human Resources Manager, and a determination regarding the reported conduct will be made. If the County determines that the conduct in violation of this section has occurred, it will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future misconduct.

Applicable law prohibits retaliation against any employee for utilizing this complaint procedure or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Additionally, the County will not knowingly permit any retaliation against any employee who complains of conduct prohibited by this section or who participates in an investigation.

4.16 TIMESHEETS

It is the responsibility of those employees to maintain a timesheet, to properly record the time that he or she has worked during a payroll period. The use of accrued vacation time, sick leave, compensatory time, or any other approved leave must be listed where indicated. At the end of the reporting period, the employee shall sign the timesheet, verifying its accuracy.

If corrections or modifications are made to a timesheet, both the employee and the Elected Official/Department Head/Supervisor shall verify the accuracy of the changes by initialing the timesheet. Should an employee fail to initial such a timesheet, the record shall be submitted by the Elected Official/Department Head/Supervisor with an acknowledgment that the employee has reviewed the modification.

Failure by an employee to submit a timesheet when required, or submitting a falsified timesheet, may result in disciplinary action.

For detailed instructions on how and when to complete timesheets, employees should consult with their Elected Official/Department Head/Supervisor.

The Elected Official/Department Head/Supervisor shall use the timesheets to complete service records to be submitted for payroll processing.

4.17 GHOST EMPLOYMENT

Warrick County is committed to providing efficient and lawful services to its citizens and to maintaining public trust. Therefore, "ghost employment" is a violation of County policy and Indiana Code 35-44.1-1-3. Ghost employment is a Level 6 felony.

Under Indiana law, a public servant who knowingly or intentionally hires an employee for a governmental entity and fails to assign the employee any duties, or assigns duties not related to the operation of the governmental entity, is committing ghost employment. Additionally, a public servant employed by a governmental entity knowing that he or she has not been assigned any duties to perform for the entity and accepts property (compensation) from the entity, or a public servant who knowingly or intentionally accepts property (compensation) from the entity for the performance of duties not related to the operation of the entity, commits ghost employment.

Examples of ghost employment include, but are not limited to, performing work on public property that is not job related, authorizing or receiving payment for time not worked, and authorizing or receiving payment for leave time not authorized by County paid leave policies. Violations of this section shall result in disciplinary action up to and including termination, in addition to potential prosecution under Indiana Code 35-44.1-1-3.

4.18 PAYDAYS

The payroll schedule is established by the Board of Commissioners. Generally, the County has two (2) paydays per month. Employees may contact the Human Resources Manager for the pay schedule.

4.19 PAY CORRECTIONS

Warrick County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid properly on the scheduled payday. The County prohibits improper deductions from wages. Any employee who thinks that he or she has had incorrect deductions from his or her paycheck, or was not paid the proper amount, should

give notice on the day of receipt of such pay or any day thereafter, in writing, to his or her Elected Official/Department Head with a copy of the notice sent to the Payroll Deputy.

Employees are encouraged to review their pay stub when received to make sure it is correct. The prompt reporting of errors is in the best interest of all employees. All reports of errors will be investigated. If it is determined that an error was made, the error will be corrected accordingly if the employee is due pay a supplemental check will be provided to the employee immediately.

Questions concerning paycheck deductions and/or methods of calculation should be directed to the Payroll Deputy.

4.20 PAY DEDUCTIONS/GARNISHMENTS

Warrick County is legally required to make certain deductions from each employee's paycheck, including deductions of federal, state, and local income taxes. The County must also deduct social security taxes on each employee's earnings. The County matches the amount of social security taxes paid by each employee.

The County offers benefits beyond those required by law. These voluntary benefits are available to FTPR employees. Eligible employees may voluntarily authorize deductions from their paychecks to cover costs to participate in these programs.

The County is obligated by Ind. Code 24-4.5-5-105 to execute any court-ordered garnishment against an employee's wages in accordance with applicable law. According to the Federal Wage Garnishment Act, two (2) or more garnishments may be cause for dismissal. This section does not apply to child support income withholding orders.

4.21 SENIORITY/LONGEVITY

Employees with one (1) or more years of continuous service that may leave the County's employ for a period not to exceed ninety (90) days may return to the County's employ without losing their previously accrued longevity or seniority. Periods that would be affected by interrupted service cannot be claimed.

Longevity pay accrues on the employee's anniversary date according to salary ordinance specified schedule and shall be submitted for payment on the first payroll voucher of the following year.

Regardless of employment status (union, non-union, salaried, hourly, appointed, etc.) that length of time a person receives compensation from Warrick County counts toward the individual's longevity. This allows employees to continue their years of service with the county regardless of their employment status.

The longevity pay increases are located in the annual Salary Ordinance and may be obtained from the Human Resources Manager or the County Council Administrator.

4.22 OVERTIME COMPENSATION AND COMPENSATORY TIME

Each County employee holds a position that is designated as either **NON-EXEMPT**, **EXEMPT**, or **EXCLUDED** from federal and state wage and hour laws.

For purposes of this section and unless otherwise stated, "Actual Hours Worked" shall mean the hours an employee is actually working and does not include time spent on lunch or break, vacation, or sick days.

Employees may be required to work overtime when operating requirements or other needs cannot be met during regular working hours. Overtime assignments will be made to best meet the operational needs of the County. All overtime work must receive the Elected Official/Department Head/Supervisor's prior authorization. Employees who work overtime without receiving prior authorization may be subject to disciplinary action, up to and including termination of employment.

Salaried/Exempt Employees

EXEMPT employees are exempt from and shall not be paid specific provisions of federal and state wage and hour laws and are not entitled to and shall not be paid overtime compensation or awarded compensatory time off.

Excluded Employees

Excluded employees are specifically excluded from coverage under federal and state wage and hour laws (e.g. Elected Officials, Sheriff's Chief Deputy); and shall not be paid overtime compensation or are awarded compensatory time off.

Elected Officials

In accordance with 29 U.S.C. 203(e)(2)(C) and 29 C.F.R Section 553.11 Elected Officials of the County are excluded from the FLSA and, therefore, are not entitled to overtime. Likewise, appointed deputy Elected Officials including first deputies and chief deputies are exempt from the overtime provisions of the FLSA.

Compensatory Time

Non-Exempt employees shall accept compensatory time in lieu of paid overtime, except as otherwise provided herein. With prior approval of their Elected Official/Department Head/Supervisor, nonexempt employees whose Actual Hours Worked exceed forty (40) hours in a work week shall accept any hours that they work in excess of forty (40) hours as comp time. Federal and state laws require employers to pay non-exempt employees one-and-one-half (1 ½) times their regular rate of pay in overtime compensation when such employees work more than forty (40) hours during a work week. Accordingly, the County will pay overtime compensation or provide compensatory time to non-exempt employees as follows.

By way of example: if a nonexempt employee has a total of forty-four (44) Actual Hours Worked in a work week (4 hours overtime) that employee is entitled to six (6) hours (1½ times 4 hours) of compensatory time.

Compensatory time shall only be allowed if the overtime was authorized by the Elected Official/Department Head/Supervisor.

Scheduling the use of compensatory time off shall be at the discretion of the Elected Official/Department Head/Supervisor. Compensatory time accrued in a particular pay period must be used in the succeeding two (2) pay periods unless doing so would cause an undue hardship for the Elected Official/Department Head/Supervisor. In the case of undue hardship an employee must use all compensatory time by the end of the calendar year. Each employee will receive compensatory time based on that employee's regular pay rate in effect when the compensatory time off is actually taken. Use of compensatory time must be determined in advance of submission of the payroll.

All Elected Official/Department Head/Supervisors shall verify compensatory hours calculated in accordance with this policy. Employees shall not be allowed to accrue more than forty (40)

hours of compensatory time unless in exceptional circumstances, and with approval from County Council.

An employee must use any accrued compensatory time before that employee may use any sick or vacation pay. Any employee with accrued compensatory time, who transfers to another department, will be allowed transfer their compensatory time.

Warrick County may also elect to apply earned compensatory time off to hours each employee has missed due to personal absence, short work weeks, layoffs, or leaves of absence, including medical leaves if not covered by paid sick days.

Warrick County may elect to substitute monetary overtime pay for earned compensatory time off, either at the time overtime is actually worked or in any later period. Monetary overtime compensation will be based on the employee's regular pay rate at the time of payment.

An employee cannot acquire compensatory time off by working during a break or lunch period.

Compensatory time will be paid out when employee leaves County employment on their last paycheck.

Overtime Approved in Writing

All overtime compensation or compensatory time shall be approved in writing by the employee's Elected Official/Department Head/Supervisor at the time it is granted. A copy shall be maintained in the department of the employee.

Failure to Work Scheduled Overtime or Overtime Without Authorization

Failure to work scheduled overtime or overtime worked without prior authorization may result in disciplinary action, up to and including termination.

This policy applies to all non-exempt employees of the County as determined by the County Council's designation of jobs as "non-exempt" under the FLSA.

Notwithstanding the above, nothing in this Section 3.22 should be construed as an agreement or acknowledgement that exempt, salaried employees are entitled to overtime and/or compensatory time benefits.

4.23 FLEX TIME

"Flex Time" is defined as the scheduling of employee work hours outside of the normal hours an office or department is scheduled to be open. Subject to the approval of the employee's Elected Official/Department Head/Supervisor, an employee may structure his or her work schedule to incorporate Flex Time, so long as the employee's Actual Hours Worked does not exceed forty (40) hours for any given week. The approval of an employee's request for Flex Time is dependent in part upon the proper coverage of the office or department and is subject to the Elected Official/Department Head/Supervisor's discretion.

4.24 INCLEMENT WEATHER AND EMERGENCY CLOSINGS

Closing of County Departments or Buildings

In certain circumstances, the County may close one or more County Departments or Buildings for a day or part of a day. The following are examples of such circumstances:

- Failure of electricity, water or gas or failure in the public utilities or sewer system.

- Operations cannot commence or continue due to threats to employees or property or when recommended by civil authorities.
- The interruption of work is caused by an "Act of God" (inclement weather, fire, flood, tornado, earthquake, worldwide pandemic, etc.) or some other cause not within the County's control.
- Inclement weather. In cases of inclement weather, the County may issue travel advisories as follows:

YELLOW ADVISORY - The lowest level of local travel advisory, means that routine travel or activities may be restricted in areas because of a hazardous situation, and individuals should use caution or avoid those areas.

ORANGE WATCH - Means that conditions are threatening to the safety of the public. During a "watch" local travel advisory, only essential travel, such as to and from work or in emergency situations, is recommended and emergency action plans should be implemented by businesses, schools, government agencies and other organizations.

RED WARNING - The highest level of local travel advisory, means that travel may be restricted to emergency management workers only. During a "warning" local travel advisory, individuals are directed to:

- refrain from all travel;
- comply with necessary emergency measures;
- cooperate with public officials and disaster services forces in executing emergency operations plans; and
- obey and comply with the lawful directions of properly identified officers.

In the case of a RED WARNING Travel Advisory is declared, all County Buildings will be closed for the duration of the Advisory and no County employee, other than those specifically dealing with the emergency situation, shall be permitted to work.

In the case of an ORANGE WATCH Travel Advisory, County employees shall make a judgment as to whether they are able to travel safely to and from work. County employees will not be disciplined for failure to report to work during an ORANGE WATCH Travel Advisory provided the employee's Elected Official/Department Head/Supervisor agrees that the absence was reasonable and justified.

In the case of a YELLOW ADVISORY Travel Advisory, County employees are expected to come to work and employees may be disciplined for failure to report to work during a YELLOW ADVISORY Travel Advisory.

Other Closings of County Departments or County Buildings

The County Commissioners may authorize the closure of one or more County Departments or County Buildings for safety, financial, or any other reason, and for such length of time, according to the sole discretion of the County Commissioners.

Compensation and Benefits Upon Closing of Department or Building

In circumstances where the County closes a County Department or Building, Hourly/Non-Exempt employees will not be paid for hours not worked unless otherwise approved by the County Commissioners. Subject to the forgoing, Hourly/Non-Exempt may utilize Vacation Time. Salaried/exempt employees will receive their predetermined amount of pay without deduction when the County closes a department or building.

5. EMPLOYEE BENEFITS

5.1 MEDICAL BENEFITS AND LIFE INSURANCE

The County has established a self-funded health benefits plan for regular full-time employees and their families who choose to participate. Appointed and elected officials and their families may also be entitled to participate in the medical benefits program. The County also furnishes a \$25,000.00 term life insurance policy at no charge to each full-time employee. The terms and conditions specified in such plans govern coverages. Information about how to enroll, change, or continue coverage may be obtained from the Human Resources Manager.

Below is a summary of the County's health benefits plan

A. Initial enrollment period – New employees:

Eligible new employees may enroll in the health benefits plan without any restrictions within thirty (30) days of the first day of the month following your date of hire. Insurance coverage will begin thirty (30) days following their initial hire date of full-time employment with the County. Employees who do not elect to participate in the plan will be asked to sign a waiver of this benefit.

B. Newly eligible persons:

1. Spouse: A new spouse may be enrolled without restrictions if the application for coverage is received and enrollment fees are paid within thirty (30) days of marriage if the spouse is not eligible for coverage from their employer. A spousal carve out provision prohibits any spouse whose employer provides medical coverage to be on the County plan.
2. Newborn and adopted children: Newborn or adopted children are automatically covered for thirty (30) days from the date of birth or placement for adoption. The child may be enrolled for further coverage in the plan without restrictions if the employee completes enrollment within thirty (30) days of the date of the child's birth or placement.

C. Special enrollment for loss of other coverage:

Under some circumstances, a special enrollment without restrictions may occur if an employee waived coverage for himself or dependents at the time of initial enrollment because of the employee's coverage under another health insurance or benefit plan, but subsequently lost that coverage for reasons other than non-payment of premium.

D. Late enrollment:

An eligible employee or dependent who did not request enrollment for coverage during the initial enrollment period or as a newly eligible person, or during a special enrollment period in which the individual was entitled to enroll, must have to wait until open enrollment to sign up for coverage.

E. Supplemental insurance programs:

Supplemental disability, and life insurance (including policies on family members) programs are available. The costs of such supplemental policies are paid entirely by the participating employee through payroll deductions.

5.2 BENEFITS CONTINUATION (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the County's health plan when a "qualifying event" would normally result in the loss of eligibility.

Common qualifying events include, without limitation, resignation from employment, termination of employment, death of an employee, a reduction in an employee's hours, or a leave of absence, an employee's divorce or legal separation, or a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the County's group rates, plus an administration fee. The County, through a third-party administrator, will provide each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the County's health insurance plan. The notice contains important information about the employee's rights and obligations. Elected Official/Department Head must notify the Human Resources Manager immediately after an employee is terminated.

Specific details regarding eligibility and coverage are available from the Human Resources Manager.

5.3 SUPPLEMENTAL INSURANCE

Supplemental health, disability, and life insurance (including policies on family members) programs are available. Enrollment in such programs is available for newly hired employees of Warrick County and during Open Enrollment. The costs of such supplemental policies are paid entirely by the participating employee through payroll deductions.

While on any FMLA, disability leave or other leave of absence, the employee shall be responsible for making all premium payments for the employee's supplemental insurance that are normally deducted from the employee's paycheck. Failure to make regular timely premium payment for the employee's supplemental insurance may result in cessation or termination of the employee's coverage.

5.4 INDIANA PUBLIC RETIREMENT SYSTEM (INPRS)

Most full-time employees are eligible to enroll in a retirement program known as the Indiana Public Retirement System (INPRS) at the time of initial employment. Warrick County makes the mandated 3% contribution into each employee's personal, defined contribution, INPRS account. Employees are eligible to contribute up to 10% of their net income in addition to the mandated 3%. In addition, there is an employer defined benefit portion, which is a percentage set by the State. This amount is based on each employee's salary. These funds go directly into the INPRS General Fund for new and existing employees. This is deposited directly into the fund. The employee has several options with regard to how the employee's own money is invested in the fund. If employment is terminated before their contribution vests (generally upon 10 years' service), the employee's contributions, plus interest, are refunded.

When an employee reaches age sixty-five (65), they may receive the full retirement amount if they have at least ten (10) years of eligible service. An employee with fifteen (15) or more years of service may elect to retire as early as age fifty (50); however, retirement benefits are substantially reduced if the retirement occurs before age sixty (60). The pension is calculated by a formula set by law. On the average, County contributions furnish approximately eighty-five percent (85%) of the total benefit an employee receives. A handbook, which more fully explains the program, is available from the Human Resources Manager.

Some employees and their dependents may be eligible, pursuant to Ind. Code 5-10-8-2.6, to continue health plan coverage for themselves and their spouses after retirement by paying the full costs of coverage at the County's group rates, plus an administrative fee. Criteria for eligibility are in accordance with State law. The current criteria are that the employee must be at least fifty-five (55) years of age, have twenty (20) years of creditable public employment (ten

(10) of which immediately precedes the retirement) and must have participated in INPRS for at least fifteen (15) years.

Pursuant to Ind. Code 5-10-8-2.2, retired or permanently disabled Sheriff's deputies and their spouses and current dependents may also request to continue health plan coverage by paying the full cost of coverage at the County's group rates, plus an administrative fee.

Specific details regarding these options should be obtained from the Human Resources Manager before the date of retirement or call toll-free, INPRS: (844) 464-6777

5.5 DEFERRED COMPENSATION

Warrick County offers a voluntary deferred compensation program to eligible employees. Full-time employees may participate in the deferred compensation program. This program is a way to set aside part of an employee's income through voluntary payroll deductions that defer tax liabilities on this income until retirement. Different investment options are available and may be discussed with a representative of the company which administers the deferred compensation program. Employees who are interested in participating should contact the Human Resources Manager.

5.6 WORKER'S COMPENSATION

The County provides a comprehensive worker's compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment (an "injury"). Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period. While on workers' compensation disability, employee benefits shall accrue. Employee income received while on leave under this policy shall not exceed wages the employee would have normally received pre-major illness in-line-of-duty leave.

Employees medically disabled on the job shall receive benefits in accordance with Indiana law, specifically Ind. Code 22-3-3-7, provided a physician acceptable to the County certifies that the employee was unable to work.

Vacation, sick leave, and holiday benefits shall continue to accrue during time off due to an injury and shall be submitted for payment on the payroll following the use of the leave. Employees shall be entitled to bereavement leave during time off due to an injury and shall contact the Human Resources Manager and their Elected Official/Department Head/Supervisor if such circumstances arise during their absence.

Under certain circumstances, Warrick County's worker's compensation insurance carrier shall pay 2/3 of the employee's current salary for approved leaves of absences due to an injury. An employee, who is receiving worker's compensation benefits, will not be allowed to use their accrued benefit time to cover the 1/3 portion of the employee's paycheck not covered by worker's compensation or to cover the employee's costs of insurance or other benefits normally deducted from the employee's paycheck by payroll.

Neither the County nor the insurance carrier will be liable for the payment of worker's compensation benefits for injuries not incurred in the course and scope of employment and/or that are not otherwise covered under the Indiana Workers' Compensation Act. On the day of the incident, or as soon as possible thereafter, the injured employee's Elected Official/Department Head/Supervisor must report the incident to the Human Resources Manager. Completion of necessary forms will be the responsibility of the Human Resources Manager or Commissioner's Office designee.

Any employee who sustains a work-related injury or illness should inform his or her Elected Official/Department Head/Supervisor immediately and the Elected Official/Department Head/Supervisor shall inform the Human Resources Manager within twenty-four (24) hours. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. Doing so will enable an eligible employee to qualify for coverage as quickly as possible, if appropriate. If the employee has a life-threatening condition, he or she should proceed directly to the nearest hospital or medical facility.

As specified by Indiana workers' compensation statutes, when a compensable injury renders an employee unable to work, compensation for lost wages is paid starting on the eighth (8th) day of such disability. If the employee's disability continues for longer than twenty-one (21) days, the employee will receive compensation for the first seven (7) days.

The first weekly installment of compensation is due fourteen (14) days after the disability begins. Not later than fifteen (15) days from the date that the first installment is due, the County or its carrier will tender to the employee an Agreement of Compensation, along with compensation due.

If, however, the County or its carrier denies liability, a written notice of denial will be mailed within twenty-nine (29) days after the County's knowledge of the alleged injury. The County may obtain an additional thirty (30) day period if it establishes that the delay is due to an inability to obtain the medical information necessary to make a determination as to liability.

If an employee is injured on the job and sent to the designated health care facility for evaluation and/or treatment, the time that the employee is not working due to attending said evaluation and/or treatment is credited as time worked.

If an employee who allegedly sustains a work-related injury submits, and is paid by, the County for sick pay, vacation pay, bonus leave, or comp time during the seven (7) day period immediately following the alleged work-related injury, the employee shall fully reimburse the County for said sick pay, vacation pay, bonus leave, or comp time in the event the employee receives worker's compensation benefits for the first seven (7) day period. The employee's used, accrued benefits shall then be reinstated. The County may debit the employee's payroll to reflect the wage reimbursement once the County is notified of the employee receiving worker's compensation benefits for the seven (7) day period immediately following the alleged work-related injury.

While an employee is on workers' compensation leave, he or she shall not be engaged in outside employment.

During workers' compensation leave, an employee may be required to submit periodic medical certifications concerning any related serious health condition, if applicable. Before returning to work, the employee shall provide medical certification from a health care provider verifying that he or she may safely return to work.

5.7 SOCIAL SECURITY/INDIANA UNEMPLOYMENT COMPENSATION INSURANCE

The County matches employee withholding for FICA (Federal Insurance Contributions Act) and pays the full cost of Indiana Unemployment Insurance.

Social Security eligibility and benefit determinations are sent to all participants periodically by the Federal Social Security Administration.

County employees are covered under the unemployment regulations and plans of the State of Indiana. Certain benefits may be available in the event of loss of employment to qualified employees.

6. WORKING CONDITIONS

6.1 SAFETY

Establishing and maintaining a safe work environment is the shared responsibility of the County and all employees. The County will take all reasonable steps to assure a safe work environment. The County will comply with all applicable Federal, State, and local safety regulations.

Employees are expected to obey safety rules and to exercise caution in their work activities. Employees shall report to work in proper condition to safely complete their assigned duties. Employees shall immediately report any unsafe conditions to their Elected Official/Department Head/Supervisor. Elected Official/Department Head/Supervisor and employees are expected to correct unsafe conditions as promptly as possible.

Employees shall report all on-the-job accidents that result in injury, regardless of severity, immediately (once the employee has been provided the necessary medical treatment) to their Elected Official/Department Head/Supervisor and to the Human Resources Manager. Such reports are necessary to comply with applicable laws and to initiate insurance and worker's compensation procedures.

6.2 APPEARANCE OF WORK AREAS

Warrick County expects employees to keep work areas, meal areas, and rest rooms neat and clean. These qualities promote health, productivity, safety, and good morale. Any employee who doesn't adhere to the standards are subject to disciplinary measures up to and including termination.

6.3 SMOKING

In compliance with State law, the County prohibits smoking throughout the workplace. No employee shall smoke in, or within thirty (30) feet of any entrance to or exit from, any building or facility, which is owned by, leased to, or utilized by Warrick County. No employee shall smoke on any stairway, ramp, or sidewalk providing access to any building or facility which is owned by, leased to, or utilized by Warrick County. Any violation of this policy may result in appropriate disciplinary action, up to and including discharge. This policy shall not preclude any possible criminal infractions imposed by law for smoking in a prohibited area.

For purposes of this Employee Handbook, "smoking" means the inhaling, exhaling, burning, or carrying of any lighted or heated cigarette, cigar, pipe, electronic smoking device (e.g., e-cigarette, vape pen, etc.), or any other lighted or heated tobacco product or plant product intended for inhalation, including hookah and marijuana, in any manner or in any form.

"E-cigarette" means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine, or any other substances, and the use or inhalation of which simulates smoking. The term "e-cigarette" shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

“Vaping” means inhaling, exhaling, or using any e-cigarette or similar device which creates a vapor in any manner or in any form.

“Tobacco product” means any product made or derived from tobacco that is intended for human consumption, this includes, among other products, cigarettes, cigarette tobacco, and smokeless tobacco.

This policy applies equally to all employees, citizens, and visitors and signs are posted in County facilities. The smoking of tobacco products by employees in County vehicles is prohibited. Violations of this policy may result in a fine and disciplinary action, up to and including termination.

6.4 VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the County, only authorized visitors are allowed in County work areas. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances. Employees are responsible for the conduct and safety of their visitors.

6.5 SECURITY OF PREMISES

Warrick County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other dangerous materials. To this end, the County prohibits the control, possession, transfer, sale, or use of these materials on its premises. The County requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices are provided for the convenience of the employees, but remain the sole property of the County.

6.6 BLOOD BORNE PATHOGENS

Employees working in high-risk jobs will be offered blood borne pathogen training and a series of hepatitis B vaccinations for their protection at no cost to the employees.

The Occupational Safety and Health Administration (OSHA) has determined that certain employees in the workplace face a significant risk from blood borne pathogens. To ensure that employees are aware of occupational exposure to blood borne pathogens, the County will develop an exposure control plan to minimize or eliminate employee contact with human blood or other bodily fluid, which may contain blood borne pathogens, such as hepatitis B virus and HIV. This control plan will be available for use by all employees.

7. PERSONAL CONDUCT

7.1 EMPLOYEE CONDUCT AND APPEARANCE

The County respects the privacy interests of its employees and recognizes their right to conduct their personal lives free from interference with the County. Nonetheless, employees should keep in mind that, even while off duty, they represent the County to the public. Certain types of off-duty conduct may reflect poorly upon an employee’s character and judgment and thereby influence his or her standing as a County employee.

The intersection of the workplace and social media poses new legal and practical risks. Employees should be mindful that not all speech is protected by the First Amendment, and activities in the digital world can have serious implications in the more traditional spaces of their lives, including the workplace.

Therefore, employees who engage in unprofessional or criminal conduct or other serious misconduct off-duty may be subject to disciplinary action, including termination from employment.

Appropriate Dress/Attire

Employees are expected to maintain high standards of personal appearance, conduct, cooperation, and efficiency in their work. Employees shall avoid any actions which conflict with County policies. Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image we present to our citizens and visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the job requirements.

Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

As a general rule, employees in County offices shall follow a business casual dress code Monday through Thursday. Friday will be designated as jeans day/dress down day unless otherwise instructed by Elected Official/Department Head. No employee shall be expected to pay or donate to participate in jeans day/dress down day. Excessive skin should not be visible when an employee sits, bends, or stretches. Skirts should be of modest length; shirts should cover the midsection; undergarments should not be visible at any time.

An employees Elected Official/Department Head may establish specific guidelines for appropriate appearance based on the needs of the department including the display of piercings and tattoos. Safety and protective items may also be required in some areas. Warrick County Government reserves the right to determine whether particular attire is appropriate and instruct an employee to change inappropriate attire.

7.2 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the County expects employees to be reliable and punctual in reporting for scheduled work.

Elected Official/Department Head/Supervisor s are to keep accurate records of all employee absences, including information on whether the employee's Elected Official/Department Head/Supervisor was notified of their tardiness or absence.

In addition, any employee with frequent absences without approval may be subject to discipline up to termination. Poor attendance and excessive tardiness are disruptive to County operations.

Regular attendance and punctuality by all employees is important to maintain high levels of productivity and achieve County and department goals. However, we recognize that staff or their children may occasionally become ill, personal issues arise or are unavoidably late. The purpose of this policy is to ensure employees provide notice of such absences.

Pursuant to principles of public accountability, if a non-exempt employee has no existing leave time as described above, any hours short of the employee's regular weekly hours shall be deducted from the employee's wages or salary.

7.3 EXCESSIVE TARDINESS/ABSENTEEISM

“Excessive Tardiness/Absenteeism” is defined as time late for reporting to your assigned workstation after your scheduled start time either at the beginning of the shift, after meal periods, or after other excused time off from work, up to one hour per incident.

Three (3) occurrences of tardiness in any consecutive ninety (90) day period shall result in a verbal warning;

Five (5) occurrences of tardiness in any consecutive ninety (90) day period shall result in a written warning placed in personnel file;

Seven (7) occurrences of tardiness in any consecutive ninety (90) day period shall result in a three (3) day suspension and written warning placed in personnel file; and

Nine (9) occurrences of tardiness in any consecutive ninety (90) day period shall result in termination of employment.

7.4 UNEXCUSED TARDINESS/ABSENTEEISM

“Unexcused absence” is defined as an absence from work after all vacation, compensatory time, and sick time has been utilized, or prior approval of the Elected Official/Department Head/Supervisor was not received for unpaid absence.

One (1) unexcused absence will result in a written warning placed in personnel file;

Two (2) unexcused absences within a consecutive ninety (90) day period will result in any appropriate discipline, up to and including termination of employment unless the Elected Official/Department Head determines the unexcused absence was “unavoidable”, then written warning placed in personnel file;

Three (3) unexcused absences within a consecutive ninety (90) day period will result in termination of employment.

7.5 EXCUSED TARDINESS/ABSENTEEISM

An absence or tardy is considered excused if:

- Elected Official/Department Head/Supervisor has been notified, in person, in advance, or in a timely manner and has granted permission for tardiness or absence;
- Emergencies that are supported or substantiated by:
 - Documentation; and/or
 - Bad weather or natural hazard;

7.6 NO-CALL/NO-SHOW

All employees must inform their Elected Official/Department Head/Supervisor of absences a minimum of one (1) hour before the scheduled start of the shift. An employee who fails to notify his or her Elected Official/Department Head/Supervisor of any absence in accordance with the office/department's policy will be subject to corrective action as follows:

First failure to provide advance notice of absence—verbal warning.

Second failure to provide advanced notice of absence—written warning.

Third failure to provide advanced notice of absence—termination.

Employees who are absent for three (3) consecutive days without notifying their Elected Official/Department Head/Supervisor will be presumed to have abandoned/resigned their position and will be separated from employment effective on the third day of absence.

7.7 CHRONIC ABSENCE OR TARDINESS

Employees receiving corrective action under this policy are expected to improve their attendance and punctuality. Failure to improve and sustain improvement may result in the employee being subject to additional discipline, up to and including termination.

7.8 SOLICITATION/DISTRIBUTION

This policy is designed to protect the interests of the citizens of Warrick County by ensuring that only official County business is transacted in work areas and during employees' work time.

Each Warrick County office is a public facility established for the purpose of carrying out a specific governmental function. Solicitation during work time and in work areas interferes with efficient operation and provision of government services.

There shall be no solicitation or distribution by employees or non-employees during work time in the workplace. This section does not apply to vendors and/or charity organizations who have received the approval of the Board of County Commissioners.

Employees violating this policy shall be subject to disciplinary action, up to, and including discharge.

7.9 ETHICAL RULES

Warrick County officers, employees, and special appointees shall comply with ethical rules promulgated by the State of Indiana for the State Officers, Employees, and Special Appointees.

7.10 MEDIA CONTACT

All media inquiries should be directed to the President of the Board of Commissioners. Accordingly, Warrick County employees and non-elected Department Heads should not speak to the media on behalf of Warrick County without first obtaining prior authority from the President of the Board of Commissioners.

7.11 SOCIAL MEDIA

"Social media" is defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques.

Employees should be mindful of blurring their personal and professional lives when administering social media sites on behalf of the County. While employees are permitted to have personal social networking accounts, these accounts must remain personal in nature. In this regard, employees shall not speak for or on behalf of the County when utilizing social media. Employees shall not post anything in the name of the County or make statements which could reasonably be attributed to the County or any Elected Official. Employees should refrain from rendering opinions or political views on behalf of the County or any Elected Official. Similarly, employees who appear in a video commenting on County issues or policies must preface their comments by making it clear that the employee is not speaking on behalf of the County and that any opinions reflected therein do not reflect the views of the County or any Elected Official. In addition, employees should never use their county e-mail account or password in conjunction with a personal social networking site.

County employees shall not post communications which may constitute knowingly false or malicious comments, discriminatory remarks, sexual or racial harassment, hostility based on age or disability, threats of violence, sabotage, or other similar or related unlawful conduct. Employees shall not post communications which may divulge confidential information or which may have an adverse effect on the goodwill and/or reputation of the County. This policy applies to all County employees and Elected Officials.

General Guidelines

Ultimately, employees are solely responsible for what they post online. Before creating, sharing, or otherwise generating online content, consider some of the risks and rewards that are involved. Keep in mind that any conduct that adversely affects an employee's job performance, the performance of fellow employees, or otherwise adversely affects the public, and people who work on behalf of the Warrick County, or Warrick County's legitimate business interest may result in disciplinary action up to and including termination.

Discussion, debate, and sharing one's opinion occur in many forms and forums including via online conversations. "Social media" is defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques.

Given the growing popularity of online media, Warrick County has developed a series of guidelines to assist its employees when engaging in such forums and discussions. The guidelines are intended to assist employees both when participating personally as well as when acting on behalf of the Warrick County.

Know and Follow County Policies and Work Rules

Please carefully read these policies contained in other sections of this handbook: the County Equal Employment Opportunity Policy, Productive Work Environment Policy, Request For Information Policy, Use of Internet and Electronic Mail Policy, Use of Cellular/Mobile Phones Policy, Harassment/Hostile Work Environment Policy, Business Ethics and Conflict of Interest Policy, Solicitation and Distribution Policy, Political Activity Policy, Workplace Violence Policy, and the Confidentiality Policy.

An employee must ensure that any content posted, shared, or generated by the employee is consistent with these policies. An employee who posts, shares, or generates inappropriate content including, without limitation, discriminatory remarks, harassment, and/or threats of violence, retaliation, or similar inappropriate or unlawful conduct shall be subject to disciplinary action up to and including termination.

Be Respectful

Always be fair and courteous to fellow employees, County vendors, and the public on behalf of the Warrick County. Also, keep in mind that employees are more likely to resolve work-related complaints by speaking directly with your co-workers or the public rather than posting comments or complaints to a social media outlet.

However, if you do post comments, complaints, or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, and threatening or intimidating, or that disparage co-workers, County vendors, or the public, or that might constitute harassment or bullying. Examples of such conduct include, without limitation, offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or County policy.

Be Honest and Accurate

An employee must ensure, to the greatest extent reasonably possible, that any and all content posted to his or her respective social media account is accurate and honest. Any errors, mistakes, or misunderstandings with respect to content posted by an employee should be promptly corrected by the employee.

Employees are encouraged to be transparent about any content shared or posted by an employee that has subsequently been altered, amended, or otherwise edited. The County reminds its employees virtually all content on the Internet. Including social media, is permanently archived; therefore, even deleted postings can be located. An employee shall never post any information or rumors that the employee knows, or reasonably should know, to be false about Warrick County, fellow co-workers, County vendors, or the public.

Restrictions on Social Media Use

With respect to an employee's use of social media, the employee shall **not** do any of the following:

- a. Post confidential or propriety information about the County, co-workers, County vendors, or the public, including any actions or conduct that would constitute a violation of Federal law, such as HIPAA (Health Insurance Portability and Accountability Act). Employees who share confidential information are subject to disciplinary action, up to, and including termination.
- b. Use Warrick County logos or any other similar images or iconography on personal social media sites.
- c. Use, or otherwise imply the use of, the County's name or the employee's position of employment within the County to promote a product, cause, or political party, or candidate.
- d. State or imply that the employee speaks for, on behalf of, the County, a County office or department, or County elected officials.
- e. Clarify that any content, publication, or other communication posted by the employee represents the employee's view and opinions only, by stating: "these are my personal views and opinions and not necessarily the views and opinions of my employer."
- f. Post pictures of County Office or Department events, County employees, or citizens visiting County offices or departments.
- g. Post obscenities, slurs, harassing language, personal attacks, or anything else that constitutes a violation of this Employee Handbook and/or which could result in civil or criminal penalties.
- h. Do not infringe on copyrights or trademarks.

Social media networks, blogs, and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to the Commissioner's Office.

Employees must obtain appropriate permission before you refer to or post images of current or former employees, members, vendors or suppliers. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.

Respect Time and Property

The County's computers and time on the job are reserved for work-related business. Employees may use personal cellular/mobile phones during break periods, including meal breaks in locations that do not pose a disruption to others. Employees using cellular/mobile phones during office hours shall be subject to appropriate disciplinary action up to and including termination.

Think Twice Before Posting

Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known. Search engines can turn up posts years after they are created and comments can be forwarded or copied. Exercise sound judgment and common sense, and if there is any doubt, DO NOT POST IT.

Know That the Internet is Permanent

Once information is published online, it is essentially part of a permanent record, even if that information is removed/deleted later, or an attempt is made to make it anonymous.

Social Media Accounts of Public Officials

Warrick County Elected Officials/Department Heads or employees shall notify the County Attorney prior to the creation of a public social media account that is intended to promote or update the public on events or matters involving the Warrick County.

A social media account created by an Elected Official/Department Head, or any County employee with the intention to use the account to promote or update the public of official County business and/or events, and gives the account the name of the County office or Elected Official/Department Head, is subject to Indiana's Access to Public Records Act.

The purpose of any Warrick County social media account is to present matters relevant to the services, activities, issues, or policies of the County. The account is not to be considered a public forum.

The administrator of any Warrick County social media account shall include the following policy on the respective site where such social media account is hosted:

The Warrick County reserves the right to remove material that:

- *Contains profanity, obscenity, vulgarity, nudity, or sexual content;*
- *Advertises or promotes private business ventures, services, or products;*
- *Advocates or depicts illegal activities;*
- *Constitutes spam;*
- *Promotes or fosters discrimination on the basis of race, national origin, color, age, religion, gender, marital status, status with regard to public assistance, disability, or other type of protected status;*
- *Contains personal attacks of any kind;*

- *Campaigns for public office or promotes a political organization or candidate;*
- *Infringes on copyrights or trademarks;*
- *Contains computer viruses or may disrupt, damage, or restrict the use of any computer software, hardware, or telecommunications equipment;*
- *Jeopardizes the safety of the Warrick County personnel, or the conduct of operations or investigations; and*
- *Is inappropriate, unrelated to the topic, excessively repetitive, and/or considered disruptive.*

Material posted on this site or links created by anyone other than the Warrick County do not reflect the opinions and position of Warrick County. Programs and events provided by organizations that serve the Warrick County residents and receive funding or support from the Warrick County, or provide professional services to special populations served by the Warrick County programs, are not considered private business ventures, services, or products.

Repeated and/or serious violations of the above restrictions shall cause the author to be blocked from the social media page.

7.12 POLITICAL ACTIVITY

Employees shall not be required to participate, financially or otherwise, in any political campaign or party activity during their working hours and be without fear of retaliation for non-participation. If an employee feels that they have been retaliated against for not participating please contact the Human Resources Manager. Warrick County equipment shall not be used to generate, copy, or reproduce campaign materials. Warrick County vehicles shall not be used to distribute campaign materials. Warrick County telephones or facsimile machines shall not be used for campaign purposes. Employees are prohibited from using their County position to assist in political campaigns during work hours to engage to engage political activity.

7.13 USE OF CELLULAR/MOBILE PHONES AND ELECTRONIC DEVICES WHILE DRIVING

The use of cellular/mobile phones and electronic devices while driving may present a hazard to the driver, other employees, and the general public. This policy is meant to ensure the safe operation of County vehicles and equipment, and the safe operation of private vehicles while an employee is on work time conducting County business. This policy applies to all uses of cellular/mobile phones and communication devices, including, but not limited to, computers, text messaging, e-mail, electronic calendars, multi-media devices, and printers.

In addition to any Federal or local rules and regulations, any employee operating a vehicle while in the course and scope of his or employment, including any County vehicle, shall comply with Ind. Code 9-21-8-59 concerning the use of cell phones while driving. This means that an employee may only use his or her cell phone while operating a vehicle if such use is in conjunction with hands free or voice operated technology, or to call 911 to report a bona fide emergency.

7.14 WORKPLACE VIOLENCE

Warrick County Government provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

Prohibited Conduct

Warrick County Government does not tolerate any type of workplace violence committed by or against employees. Accordingly, threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance will not be tolerated.

The following is a non-exhaustive list of examples of conduct that is prohibited:

- Intimidating others including, without limitation, stalking or engaging in action intended to frighten, coerce, or induce duress.
- Threatening remarks or behavior including, without limitation, expression of intent to cause physical or mental harm regardless of the method of communication and whether or not the person communicating the threat has the present and immediate ability to carry out the threat.
- Physical contact, regardless of whether such contact results in physical injury or damage to person or property.
- Displaying aggressive or hostile language or behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging property including, without limitation, Warrick County property or the personal property of another employee.
- Possessing a weapon while on County property or while conducting County business, except as permitted in accordance with County Ordinance or Resolution.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Threatening behavior or acts of violence executed outside of or beyond County property but that is directed toward the County, its Elected Officials/Department Heads or employees, or members of the general public shall constitute a violation of this policy including, without limitation, threats made via phone, social media, fax, electronic or conventional mail, or any other method of communication.

Reporting Requirement

Any employee who believes they are the recipient of any threats, threatening behavior, acts of violence, or any similar conduct shall immediately report such conduct to the Human Resources Manager. Employees shall also report any threats, threatening behavior, acts of violence, or any similar conduct witnessed by the employee to their Elected Official/Department Head/Supervisor and Human Resources Manager. Reports made under this section may be anonymous and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. Warrick County Government will actively intervene at any indication of a possibly hostile or violent situation.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts may be immediately removed from the premises. Violations of this policy shall lead to disciplinary action up to and including termination of employment and may also result in arrest and prosecution.

7.15 HARASSMENT/HOSTILE WORK ENVIRONMENT

Every Warrick County employee is entitled to a workplace free from harassment, intimidation, or inappropriate conduct based on sex/gender, race, color, religion, national origin, age, disability, veteran status or any other category protected by law. The County is committed to providing an environment that is free of any type of discrimination or unlawful harassment to its employees, customers, Elected Officials, and Department Heads. The County prohibits any form of harassment and will take corrective action against offenders, including discipline or termination.

Harassment

1. Harassment means any unwelcome or offensive conduct, whether written, verbal, or physical, which is:
 - a. directed at or to an employee because of the employee's age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, veteran status, or any other legally-protected classification.
 - b. directed toward any person concerning an individual, or a class of individuals, because of the age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, or veteran status of the individual or class of individuals. By way of example only, racial or ethnic slurs or derogatory epithets are prohibited in the workplace, regardless of whether a member of the racial or ethnic group is present when the statement is made.
2. Sexual harassment may include the following:
 - a. Offensive or unwelcome sexual flirtations, advances, or propositions, communicated verbally, by touch, or in writing;
 - b. Obscene or sexually suggestive comments about a person's body or appearance;
 - c. The use of "off color" language or "dirty jokes";
 - d. Printed or electronic display or transmission of sexually explicit photographs, drawings, greeting cards, articles, books, magazines, messages, cartoons, or any other image; electronic messaging, including but not limited to, emails, blogs, chat rooms, social media etc.
 - e. Conduct with sexual implication that has the purpose or the effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment;
 - f. Unwelcome or unnecessary touching of any part of another's body;
 - g. Sexually degrading words to describe a person or a group of people;
 - h. Slurs, threats, repeated commands, or other offensive verbal or physical conduct relating to a person's sex or sexual orientation.
3. It is a violation of this policy to use an individual's submission to or rejection of harassing conduct as the basis for any employment decision affecting the individual. Retaliation towards an employee who reports harassment is strictly prohibited.
4. Employees who believe they have been subjected to harassment shall promptly report the harassment to the Human Resources Manager and complete a Harassment Complaint Form. The best time to register a complaint is immediately after the act occurs.
 - a. If the Department Head who oversees an employee is the subject of the harassment complaint, the employee shall submit the completed Harassment Complaint Form to the Elected Official responsible for that Department Head and the Human Resources Manager.
 - b. If the Elected Official who oversees an employee is the subject of the harassment complaint, the employee shall submit the completed Harassment Complaint Form to the Human Resources Manager, the Warrick County Commissioners, or the Warrick County Commissioners

Attorney. The Human Resources Manager must be provided a copy of each completed Harassment Complaint Form.

5. Any and all employees who observe, otherwise learn of, or have reason to suspect any conduct which may violate this policy shall promptly report such conduct to the Human Resources Manager, and shall cooperate fully in any investigation or disciplinary action undertaken pursuant to this policy. Failure by an employee to promptly report any and all such violations of this policy, in accordance with this section, shall be grounds for appropriate disciplinary action, up to and including termination.
6. The Human Resources Manager shall conduct a prompt and diligent investigation reports made, or Harassment Complaints filed, under this section. The investigation may include interviews with all persons having direct knowledge of the alleged conduct, including the person who made the complaint, the person accused of sexual and/or other harassment, and other potential witnesses.
7. At the conclusion of the investigation, the Human Resources Manager, will conduct a review of the findings with the person(s) who made the complaint. If the investigation reveals that the complaint is factual, appropriate corrective action will be taken to prevent the harassment from occurring again, up to and including suspension and/or termination of any employee believed to be guilty of harassment. In any case, particularly in situations where the facts uncovered during the investigation are inconclusive or unclear, the County will ensure that all parties are reacquainted with the policy prohibiting sexual or other harassment at work.
8. Warrick County will take reasonable steps to keep confidential any complaint or report filed under this section and, to the extent possible, maintain the privacy of the persons involved. Warrick County, however, cannot guarantee confidentiality.
9. Every new employee will be provided a copy of the policy when hired, which may be reviewed during orientation. If the policy is amended, copies of the amendments will be given to all employees.
10. Warrick County also recognizes that careful consideration must be given to questions regarding whether a particular action or incident is purely personal or social without any discriminatory employment effect. False accusations of sexual harassment can have devastating effects on the lives and reputations of innocent women and men; therefore, the County may discipline, up to and including termination of employment, those employees who are proved to have intentionally, maliciously, and wrongly accused others of sexual or other forms of harassment.
11. Sexual and other forms of harassment by any employee may result in personal legal and financial responsibility for the employee offender.

Description of Misconduct

An accurate record of objectionable behavior or misconduct is needed to resolve a formal complaint of harassment.

Verbal reports of harassment must be recorded in written form either by the complainant or the individual(s) designated to receive complaints and be signed by the complainant. Individuals who believe they have been, or currently are being, harassed should maintain a record of objectionable conduct to effectively prepare and corroborate their allegations.

While the County encourages individuals to keep written notes in order to accurately record offensive or harassing conduct or behavior, it must be recognized that, in the event that a lawsuit develops from the reported incident, the confidentiality of the complainant's written notes may not be recognized under Indiana law, and the notes may have to be disclosed.

The Human Resources Manager has copies of the County harassment complaint form. Employees are directed to obtain, complete, and submit this form to initiate a formal complaint.

Time Frame for Reporting Complaints

The County encourages a prompt reporting of complaints so that rapid response and appropriate action may be taken. However, due to the sensitivity of these problems and because of the emotional toll such misconduct may have on an individual, no limited time frame will be instituted for reporting harassment complaints. Late reporting of complaints will not in and of itself preclude the County from taking remedial action.

Protection Against Retaliation

The County will not in any way retaliate against individuals who report harassment or against anyone who participates in a resulting investigation, nor permit any Elected Official/Department Head/Supervisor or employee to do so. Retaliation is a serious violation of this policy and should be reported immediately.

Any person found to have retaliated against another individual for the good faith reporting of harassment will be subject to the same disciplinary action provided for harassment offenders.

Investigating the Complaint

The County shall take appropriate action as deemed necessary to investigate the complaint, including the use of a third-party investigator if needed.

In determining whether alleged conduct constitutes harassment, the County will look at the investigative file as a whole and the totality of the circumstances, such as the nature of the conduct and the context in which the alleged incidents occurred.

The determination of whether disciplinary action is to be taken will be made from the facts, on a case-by-case basis.

Identification of Investigators

Complaints will be investigated by the Human Resources Manager, and may include any additional investigators selected by the Board of Commissioners. In addition, other individuals may be included in reviewing the investigation and outcome at the recommendation of the County Attorney.

False Accusations

The County may discipline, up to, and including termination of employment, those employees who after an investigation are found to have falsely accused others of harassment, knowingly or in a malicious manner.

Sanctions

Individuals found to have engaged in misconduct constituting harassment, creating a hostile work environment, or related retaliation will be severely disciplined, up to and including termination of employment. Additional action may include: referral to counseling, withholding of a promotion, reassignment, demotion, temporary suspension without pay, or termination.

Any County employee who has been subjected to harassment by a non-County employee at the workplace or work-related setting should file a complaint so that action may be taken.

Maintaining a Written Record of the Complaint

The County maintains a complete written record of each complaint and how it was investigated and resolved. Written records shall be maintained by the County Attorney.

Prevention

Prevention is the best policy for the elimination of harassment. Employees shall remain cognizant of harassment to avoid contributing to conditions that would encourage such activity.

Harassment and hostile work environment violations will result in disciplinary action, up to, and including termination of employment.

7.16 WHISTLEBLOWER POLICY

A “whistleblower” is an employee of the County who reports an activity that he or she considers to be illegal or dishonest. A whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. Rather, the Board of County Commissioners is charged with these responsibilities.

Examples of illegal or dishonest activities include but not limited to violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of illegal or dishonest activity, or has reason to believe that illegal or dishonest activity has occurred, the employee shall report said activity, in writing, to the County Attorney. Such employee reports of wrongdoing will be investigated by investigators selected by the County Attorney. In addition, other individuals may be included in reviewing the investigation findings at the discretion of the County Attorney.

An employee who intentionally files a false report of any dishonest, illegal, or fraudulent activity shall be subject disciplinary action up to and including termination of employment.

Whistleblower protections are provided in two (2) important areas: confidentiality and no retaliatory actions. To the greatest extent reasonably possible, the confidentiality of the whistleblower will be maintained. However, confidentiality is not guaranteed. The identity of the reporting individual may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide the accused individuals their legal rights of defense.

The County shall not retaliate against a whistleblower. This includes protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, and threats of physical harm.

Any whistleblower who believes he or she is being retaliated against should submit their concerns in writing to the County Attorney immediately. Any report of retaliation shall be made within (30) days of the alleged incident of retaliation, or where the retaliation is of an ongoing nature, within (30) days from the most recent incident. Any report of retaliation must state with particularity those actions that the employee making the report believes constitute retaliation. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All investigative reports of illegal and dishonest activities will be promptly submitted to the Board of Commissioners who will be responsible for determining any wrongdoing and coordinating corrective actions.

7.17 USE OF COUNTY PROPERTY

Use of Information Technologies

Technologies including computers, computer files, networks, hardware, and software are Warrick County property intended for business use. To retain privileges of network access, each user of County Information Technologies (IT) is expected to meet certain responsibilities and honor certain limitations as set forth in this Employee Handbook and as may be modified from time to time. Additional responsibilities may be associated with specific networks.

Any network traffic exiting the County is subject not only to provisions of this policy, but also to the acceptable use policies of any network through which or into which it flows. Because the computers, Internet connection, and the e-mail system belong to the County and not to the employees, employees shall have no expectation of privacy regarding any activity that utilizes such equipment or systems. Information contained on County computers, including e-mail messages received or sent by an employee, are subject to public disclosure. If an employee violates any of the provisions contained in this policy, his or her access to County resources may be denied and disciplinary action may be taken.

Employees should immediately report any violation of this policy to their Elected Official/Department Head/Supervisor. Questions concerning these policies should be directed to the employee's Elected Official/Department Head/Supervisor.

System Security

Passwords: The password feature of the County's computer network is the foundation for maintaining the confidentiality of the County's communication system. Confidentiality of passwords and user accounts must be protected. Passwords, system telephone numbers, and similar information shall not, under any circumstances, be disseminated to the public and must be retained as confidential information by the employee. For privacy reasons, employees shall not attempt to gain access to another employee's personal file or e-mail messages without the latter's express permission. Internet accounts are to be accessed only by the authorized user of the account.

Security Issues: All technology system security issues shall be communicated immediately upon discovery to the Elected Official/Department Head/Supervisor and the Computer Resource Specialist.

Direct Internet Access Prohibited: Employees shall only access the Internet through an approved Internet firewall. Accessing the Internet directly, by modem, is strictly prohibited unless such access is approved and installed by the Computer Resource Specialist.

Receiving Unsolicited Offensive Material: If an employee receives files, messages, or information which violates the restrictions outlined in this policy, or which would make a reasonable employee feel uncomfortable or offended, the employee shall immediately call the matter to the attention of the employee's Elected Official/Department Head/Supervisor. The Elected Official/Department Head/Supervisor should contact a representative of the Computer Resource Specialist as well as the Human Resources Manager to investigate the matter.

Violations of this policy are subject to disciplinary action up to, and including, termination.

Software Licenses

The County purchases and licenses the use of various computer software programs for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the County does not have the right to reproduce such software for use on more than one (1) computer. Therefore, employees may only use software on multiple machines according to software license agreements. The County prohibits the illegal duplication of software and its related documentation. No licensed software shall be installed on County computers that has not been authorized by the County and is not properly licensed to the County.

Employees should immediately report violations of this policy to their Elected Official/Department Head/Supervisor. Employees who make, acquire, or use unauthorized copies of computer software are violating Federal copyright law and are subject to the disciplinary action up to and including termination.

Data Backup

Users of personal computers are responsible for protecting their work by making regular backup copies of their work files and storing the copies in a safe location. They should set the frequency of backup based on their ability to recreate information added since the last data backup.

Prohibited Uses of Information Technologies Resources

Employees shall not deliberately perform acts which are wasteful of computing resources or which unfairly monopolize resources to the exclusion of others. Conduct that presents a risk to the operating integrity of the Information Technologies systems is strictly prohibited.

Employees shall not deliberately perform acts that will impair the operation of computing equipment, peripherals, other devices, or networks. This includes, but is not limited to, tampering with components of a local area network (LAN) or the high-speed backbone network, otherwise blocking communication lines, or interfering with the operational readiness of a computer.

Employees shall not install on any of the computer systems of the County, or give to another user, a program that could result in the eventual damage to a file or computer system and/or the reproduction of itself. This includes, but is not limited to, the classes of programs known as computer viruses, "Trojan horses" and worms.

Violations of this policy are subject to disciplinary action up to, and including, termination.

7.18 USE OF INTERNET AND ELECTRONIC MAIL (E-MAIL)

Computers, computer files, the email system, and software are County property, or are licensed by the County, and intended solely for business use. Employees shall not use passwords, access a file, or retrieve any stored communication without authorization.

No personal messages shall be posted, sent, or received on County computers or County email accounts. Furthermore, employees shall not use County computers for social media or other personal purposes unrelated to County business.

Downloading from the Internet

All material downloaded from the internet or from computers or networks that do not belong to Warrick County **MUST** be scanned for viruses and other destructive programs before being placed onto the computer system.

All employees shall follow the instructions from their Elected Official/Department Head/Supervisor for the proper process to scan any downloaded files for viruses and other destructive programs. Any questions should be referred to the Elected Official/Department Head/Supervisor prior to being downloaded onto an employee's computer .

Employees are responsible for the material they review and download from the internet. Violations of this policy are subject to disciplinary action, up to, and including termination.

Electronic Mail (E-Mail)

The County is committed to promoting the effective capture, management, and retention of emails and electronic communications. An "email" includes any communicated message or writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the County. Examples of emails, attachments, or other electronic communications that may constitute a public record and which are not confidential may include: (1) policies and directives; (2) correspondence or memoranda relating to official business; (3) agendas and minutes of meetings; (4) any document that initiates, authorizes, or completes a business transaction; and (5) final reports or recommendations.

Additionally, emails, attachments, or other electronic communications containing confidential or partially confidential information are required to be retained, including emails: (1) declared confidential by state statute; (2) required to be kept confidential by federal law; (3) containing investigatory records of law enforcement; (4) containing attorney work product; (5) containing personnel file information, except for information that must be disclosed; (6) containing interagency or interagency deliberative materials; and (7) covered by Indiana Court Administrative Rule 9. All Warrick County offices and departments that create, use, and manage electronic communications as part of the transaction of Warrick County business shall retain electronic communications in accordance with Warrick County's Electronic Communications Retention Policy.

Responsibility for Retention

The employee who sends the email is responsible for ensuring its proper retention. Duplicates or other copies of internal email may be deleted. However, if an email was sent by an outside agency, a member of the public, or anyone outside the County, the recipient-employee is responsible for its retention. Each department or office is responsible for ensuring complying with its retention schedule for its electronic records. The Computer Resource Specialist is not responsible for the long-term retention of these records.

Method of Retention

Each department or office is responsible for selecting the method of retention to be implemented and carried out in its respective department or office. Email records required to be retained should be retained according to the following methods:

1. Retaining the email on the equipment's hard drive; and
2. Retaining the email using archival software.

Mail Attachments

Attachments to an email must be retained or disposed of according to the content of the attachment itself, not necessarily the email which transmits the attachment.

Email Archival

Mailbox Data is archived for a period of three (3) years. "Mailbox Data" includes, without limitation, content located in the inbox, sent items, drafts, and contacts folders, as well as calendar items. All Mailbox Data, with the exception of information stored in the contacts folder and calendar items, will be purged after the initial three (3) year archival period. Once the initial three (3) year archival period has passed, the employee and the department or office is responsible for the retention of any electronic records required to be retained longer than three (3) years.

Archived Emails

Email records required to be retained beyond the initial three (3) year archival period may be retained by either:

1. Printing the email and storing its physical copy in the appropriate file; or
2. Retaining the email using archival software after arranging for its archival with the Computer Resource Specialist.

Personal Storage Table (.pst) Files

The use or creation of personal storage table (.pst) files are not supported by the Computer Resource Specialist and are not part of the email system.

Litigation Proceedings

Regardless of department or office retention requirements, email and all other electronic correspondence pertaining to anticipated, threatened, or actual legal proceedings must be retained until the litigation has concluded. It is the responsibility of the department or office involved in the anticipated, threatened, or actual litigation to notify the Computer Resource Specialist in writing of the need for the relevant electronic communication not to be destroyed.

Responding to Public Records Requests

It is the responsibility of the department or office whose public records are formally requested to immediately notify, in writing, the Computer Resource Specialist and the County Attorney of the request if the Computer Resource Specialist and/or County Attorney's assistance is required to comply with the request.

Email Accounts when Employment is Terminated

In the event an individual is no longer employed by a department or office, it is said department or office's responsibility to immediately notify the Computer Resource Specialist. The Computer Resource Specialist shall maintain the former employee's mailbox for a minimum of three (3) years thereafter. The former employee's mailbox will be purged after three (3) years unless that former employee's department or office head requests in writing an extension or otherwise notifies the Computer Resource Specialist that items in the email are to be managed by another employee. It is the department or office's obligation to ascertain and determine whether electronic communication stored by the former employee are to be safeguarded and maintained before the three (3) year purge has occurred.

Scope

This policy applies to all County-provided electronic communications equipment used for County business. County employees and/or officials shall not use personal devices, accounts, or equipment, including, without limitation, personal cell phones, personal email accounts, or personal social media accounts, to conduct County business. To the extent an employee or official of the County does conduct County business using personal devices, accounts, or equipment, said employee or official shall be subject to the Electronic Communications Retention Policy.

Amendments

Warrick County reserves the right to amend or revise the contents of this policy as is deemed suitable. Each employee will be provided with a notice of all amendments and revisions to this policy.

Prohibited Uses of the Internet

The County strives to maintain a workplace that is free of harassment and sensitive to the diversity of its employees. Therefore, the County prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to moral. Employees encountering such material should report it to their Elected Official/Department Head/Supervisor immediately.

Because of export restrictions, programs or files containing encryption technology are not to be placed on the internet or transmitted in any way outside the United States without prior written authorization from Warrick County. Employees must comply with all software licenses, copyrights, and all other federal, state, and local laws governing intellectual property and online activity.

The County maintains the right to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites employees visit on the internet, reviewing material downloaded or uploaded by employees, and reviewing e-mail sent and received by employees.

Employees do not retain any right to privacy in any documents, messages, or images they create, store, send, or receive on any County computer under the Electronic Communications Privacy Act and any other federal, state, or local law regarding e-mail and internet use.

Violations of this policy are subject to disciplinary action, up to, and including termination.

Reporting Child Pornography

"Child pornography" shall be defined as any visual depiction or description of a child, less than eighteen (18) years of age, engaged in sexually explicit conduct, including nudity of any such

child. Child pornography, whether made or produced by electronic, mechanical, or other means, may be expressed through a picture, drawing, photograph, negative image, undeveloped film, motion picture, videotape, digitized image, or any other pictorial representation.

An employee who witnesses, observes, or otherwise is made aware of child pornography being distributed or present on County property, computers, networks, or IT resources must immediately report such findings to the Board of Commissioners. This also applies to employee-owned computers or IT resources which are brought and/or used on County property. The employee shall immediately inform their Elected Official/Department Head/Supervisor who will immediately report such issue to the County Commissioners.

The managing, producing, sponsoring, presenting, exhibiting, and/or creating of child pornography is a violation of County policy and Indiana Code 35-42-4-4. Such violation shall result in disciplinary action, including immediate termination.

An employee who makes available to another employee a computer, knowing that the computer's fixed drive or peripheral device contains matter that depicts or describes sexual conduct by a child less than eighteen (18) years of age. commits child exploitation as defined by Indiana Code 35-42-4-4.

Warrick County will not be responsible for any damages, direct or indirect, arising out of the use of its internet resources. County employees who violate this policy are subject to disciplinary action, up to, and including termination.

Vehicles and Equipment

The Internal Revenue Code (IRC) requires the taxable value for the use of employer provided vehicles as additional compensation to employees. Employees may contact the Warrick County Human Resources Manager or Warrick County Legal Counsel with questions about the manner in which those regulations are applied by Warrick County. Each employee assigned a take-home vehicle should make sure he or she knows and understands the regulations and how they apply to the employee. Law Enforcement and Emergency vehicles are considered non-personal use vehicles.

Vehicles owned by the County shall be used for County business only. In such cases, incidental non-business stops (such as stopping for lunch between two County business stops) are permissible. Only those employees assigned take-home vehicles by the Warrick County Commissioners are authorized to use County vehicles for commuting purposes.

Personal use of County vehicles, other than commuting, for travel outside of Warrick County is prohibited (e.g. vacation use).

When using or in the possession of any County property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines related to such County property.

Employees shall notify their Elected Official/Department Head/Supervisor if they are made aware of any equipment, machines, tools, or vehicles that appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs may prevent deterioration of equipment and possible injury to employees or others. The Elected Official/Department Head/Supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Employees operating County vehicles shall maintain any and all licenses and certifications legally required operate assigned vehicles. An employee who operates a County vehicle is required to notify their Elected Official/Department Head/Supervisor and the Human Resources Manager in the event that the employee's driver's license, and/or any other license or certification necessary to operate said vehicle, is suspended or revoked. An employee's failure to notify their Elected Official/Department Head/Supervisor and the Human Resources Manager such license or certification suspension or revocation is subject to disciplinary action, up to and including termination.

Each occupant of a County or personal vehicle must wear appropriate seat belts and shoulder harnesses (if so equipped). Each employee is personally responsible for any fines incurred as a result of driving or parking violations. In addition, no employee is permitted, under any circumstances, to operate a County vehicle or personal vehicle for County business when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporally unable to operate a vehicle safely or legally because of illness, medication, or intoxication.

The driver of a County vehicle shall obey all traffic and safety laws, except in the case of law enforcement personnel who are engaged in the performance of their duties as set forth in Indiana Code 9-21-1-8. Improper, careless, negligent, destructive, or unsafe use or operation of County equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination.

A County vehicle may be used only by the employee who has been authorized and approved for such use. All use of County vehicles by non-employees (including friends and family members) is prohibited.

Employees who violate these provisions shall be subject to discipline up to and including termination.

8. LEAVES OF ABSENCES

Benefit Time

Warrick County provides a wide range of benefits to eligible employees. Programs such as social security, Workers Compensation, and unemployment insurance cover all employees in the manner prescribed by law. Eligibility for additional benefits depends on a variety of factors, many of which are described elsewhere in this Handbook. The Human Resources Manager shall identify the programs for which employees are eligible.

It is the County's intent that employees be allowed to use their benefit time in minimum one-half (1/2) hour increments, subject to approval by the employee's Elected Official/Department Head/Supervisor.

Except as otherwise provided, Regular full-time employees are eligible to take vacation time as described in this Section, subject to Section 5.6 regarding worker's compensation benefits. Notwithstanding the foregoing, Sheriff's Merit Board regulations regarding vacations shall prevail over this Section with respect to employees of the Sheriff's Office. The amount of paid vacation time that an employee is eligible to take shall increase correspondingly with the length of the employee's continuous service, as described herein.

8.1 VACATION

Once an employee enters an eligible employment classification, he or she shall be entitled to use vacation time during the calendar year earned according to the following schedule:

Length of Continuous Service	Vacation Earned
6 months	5 working days*
1 years	10 working days
7 years	15 working days
10 years	20 working days
20 years	25 working days

Definition of 'Workdays'

Regularly scheduled 8 hour per day employees = 8 hours

Regularly scheduled 10 hour per day employees = 10 hours

Continuous employment time shall be used in determining the amount of eligible earned vacation time for use.

*An employee hired on or before June 15th is eligible to take five (5) working days of vacation during the remainder of the calendar year during which the employee was hired. An employee hired on or after June 16th will receive ten (10) working days of vacation at the beginning of the next calendar year, and may use five (5) of these days once he or she completes six (6) months of employment.

Employees receive the next level of earned vacation on their anniversary date the year it is earned, each subsequent year vacation time will be reflected at the beginning of each calendar year.

Employees must take them in the calendar year or they will be forfeited unless approved by the Board of Commissioners.

Employees with twenty-five (25) working days of vacation shall have the right to "sell" up to and including ten (10) working days of their vacation to the County. The request to "sell" vacation must be made to the Council Administrator using Salary Ordinance Form 144. These requests may be made beginning with pay dates after November 1st each year.

Upon termination or resignation of employment, employees will be paid for unused vacation time that has been earned through the last day of employment, based on the schedule above.

No vacation time shall be earned while an employee is on unpaid leave of absence, except for instances where it is required by law, such leave taken pursuant to the Family Medical Leave Act (FMLA) or in accordance with certain military leaves.

In general, all vacation leave must be approved in advance by your Elected Official/Department Head/Supervisor. Except in the case of emergencies, or unforeseen circumstances, vacation leave of less than three (3) consecutive workdays should be approved by your Elected Official/Department Head/Supervisor at least twenty-four (24) hours before taking the leave. Vacation leave of three (3) consecutive workdays or more should be scheduled at least fourteen (14) days in advance. Because each office/department has different busy times of year, vacation leaves may be approved on a more limited basis during such periods, in the discretion of the Elected Official/Department Head/Supervisor. Employees are expected to manage their vacation balances and plan use of vacation during non-peak operational times. The max

amount of consecutive vacation that can be taken is twenty-one (21) days unless the employee is on an approved FMLA, ADA, or other federal leave.

Vacation pay shall be equal to the employee's regular current rate of pay at the time vacation is taken and does not include overtime or any special forms of compensation. If a holiday recognized by the County falls during an employee's scheduled vacation leave period the employee will receive holiday pay for said holiday and said holiday shall not count towards any existing balance of vacation leave available to the employee.

Vacation must be taken in minimum increments of thirty (30) minutes for all employees.

Employees are not entitled to pay in lieu of taking vacation leave. However, upon an employee's termination, the employee is entitled to be paid for all earned, unused vacation that has not previously been forfeited unless the employee has been terminated for cause.

If an employee transfers between offices/departments within the County, the employee's balance of unused vacation leave shall be transferred to the new office/department unless used by the employee prior to the effective date of transfer.

If a full-time employee becomes a part-time employee or an elected official, the employee's unused vacation will be paid to the employee, as part of the immediately succeeding payroll, as if the employee was terminated in accordance with the above provisions. Upon becoming a part-time employee or an elected official, the employee is no longer eligible for vacation time. In the event an elected official is hired as a full-time employee, they shall receive credit for the years of service as an elected official and will become eligible for vacation time. Should an elected official be hired as a part-time employee, they are ineligible for vacation time.

8.2 SICK LEAVE

It is the County's intent that employees shall be allowed to use their benefit time in minimum one-half (1/2) hour increments, subject to approval by the employee's Elected Official/Department Head/Supervisor

The County provides paid sick leave benefits to regular, full-time employees for periods of temporary absence due to illness or injuries, subject to Section 5.6 regarding worker's compensation benefits. Part-time, temporary, and probationary employees are not eligible for sick leave benefits.

For accounting purposes, sick time will be allocated on the first day of the month. To receive sick time benefits the employee must be employed on the first of the month.

8 Hour Employees: Full-time eligible employees who work eight (8) hour days shall receive sick leave at the rate of eight (8) hours per each calendar month. An eligible employee who takes a sick day shall be compensated at the employee's regular rate of compensation for an eight (8) hour workday. Eight (8) hour employees may accumulate up to three hundred sixty (360) hours of sick leave.

10 Hour Employees: Full-time eligible employees who work ten (10) hour days shall receive sick leave at the rate of ten (10) hours each calendar month. An eligible employee who takes a sick day shall be compensated at the employee's regular rate of compensation for a ten (10) hour work day. Ten (10) hour employees may accumulate up to four-hundred-fifty (450) hours.

The following conditions and stipulations shall apply to sick leave:

1. Sick leave may be granted to an employee:

- a. When incapacitated by sickness or injury.
 - b. For medical, dental, or optical examination or treatment, so long as verbal approval from the employee's Elected Official/Department Head/Supervisor is obtained in advance.
 - c. When the employee's presence at work would jeopardize the health of others as a result of his or her exposure to contagious disease(s).
 - d. To care for a sick child.
2. An employee who is unable to report to work due to illness or injury must notify his or her Elected Official/Department Head/Supervisor no less than one (1) hour prior to the scheduled start of his or her workday. The employee must also contact his or her Elected Official/Department Head/Supervisor on each additional day of absence due to illness or injury.
 3. In order to take three (3) or more consecutive days of sick leave, an employee must submit to his or her Elected Official/Department Head/Supervisor a physician's report certifying that the employee has been ill or injured and unable to perform his or her employment duties during the period of his or her absence.
 4. Sick leave shall not accrue during unpaid leaves of absence, excluding FMLA leave.
 5. An employee may be eligible for compensation for accumulated sick leave upon termination of employment, pursuant to Section 10.4 of this handbook.
 6. If sick leave is taken by an employee the day before an observed holiday, the day after an observed holiday, or on a Monday or Friday, the employee shall provide medical documentation or satisfactory proof of the genuine necessity thereof to his or her Elected Official/Department Head/Supervisor.

Sick leave shall not be used as a substitute for vacation time. Misuse or abuse of sick leave is cause for disciplinary action, up to and including termination of employment.

Employee absences for reasons other than those covered by sick leave that occur after all available vacation has been used will be unpaid. If an employee has vacation leave available, they must use it when absent from work unless on an approved FMLA, ADA, or other state or federal leave.

Employees violating the sick leave and/or vacation policy of the County shall be penalized as follows:

1. Unauthorized time away from work shall be subtracted from existing vacation time.
2. If employees paid on an hourly wage have no existing leave time as described above, unauthorized time from work shall be docked from his or her wages.
3. For employees paid at a salary rate with no existing leave time as described above, the penalty shall be computed by the normal work hours in a year divided into the gross annual salary to determine the hourly rate of pay.
4. The wages of an Elected Official cannot be docked, as set by law.

Additional disciplinary actions may be taken for violations of the sick leave, personal leave, and/or vacation policy, up to and including termination of employment with Warrick County.

8.3 BONUS LEAVE

Employees who have completed at least one (1) full year of service with the County are eligible for bonus leave in the following calendar year based on their attendance record. The office holder/department head may grant bonus leave according to the following schedule:

1. Three (3) days of bonus leave for those employees who use zero (0) sick days in the preceding calendar year.
2. Two (2) days of bonus leave for those employees who only use one (1) day of sick leave in the preceding calendar year.
3. One (1) day of bonus leave for those employees who only use two (2) days of sick leave in the preceding calendar year.

In order to be eligible for bonus leave, employees must be employed by the County on a regular full-time basis on January 1 of the qualifying year – *i.e.*, the preceding calendar year. All bonus leave must be used during the calendar year immediately following the qualifying year. Bonus leave days are to be treated in the same manner as vacation days, subject to Section 4.10 on worker's compensation benefits. Bonus leave days must be scheduled in advance with the approval of the employee's supervisor, office holder and/or department head. Bonus Leave days that are not taken prior to an employee's termination with Warrick County are forfeited with no compensation provided for these days.

8.4 HOLIDAYS

Each year the schedule of holidays shall be determined by the Board of Commissioners. Full-time employees shall receive regular pay for holidays. Part-time or Temporary employees shall be compensated only for hours actually worked, if any, on a holiday.

If an employee's religion observes holidays other than those designated by the Board of Commissioners, the employee, may, with Elected Official/Department Head/Supervisor's advance permission, work on regularly scheduled holidays and be absent for the holidays observed by the employee's religion. Such permission, however, is within the sole and absolute discretion of the employee's Elected Official/Department Head.

Holiday time off shall be paid at the employee's base rate at the time of the holiday. To be eligible for holiday pay, an employee must have worked the preceding scheduled workday, unless leave time has been approved in advance by their Elected Official/Department Head/Supervisor.

8.5 BEREAVEMENT LEAVE

FULL-TIME AFFORDABLE CARE ACT (FTA) employees are entitled to five (5) days of bereavement leave with pay upon the death of a spouse, mother, father, step-parent, child, step-child, grandchild, or any family member or person residing in the same household as the employee at the time of death. During such absence(s), the employee shall be compensated at their regular straight-time rate. Bereavement leave compensation shall not include any pay for lost overtime, premium pay, or holidays.

An employee is entitled to three (3) days of bereavement leave with pay upon the death of a brother, sister, grandparent, step-brother, step-sister, brother-in-law, sister-in-law, mother-in-law, or father-in-law.

An employee is entitled to two (2) days of bereavement leave with pay upon the death of an aunt, uncle, niece, or nephew.

An employee may also be granted an unpaid leave of absence – at the discretion of his or her Elected Official/Department Head/Supervisor – to attend the funeral of a friend or a family member not listed above.

An employee may also use vacation or personal time to attend funerals.

Bereavement leave must commence within seven (7) calendar days of the death of the family member, or must be taken concurrent with the funeral services for the family member.

Additional time off may be granted by employee's Elected Official/Department Head with the additional leave either charged against the employee's Vacation Leave Time or considered as unpaid leave.

If a covered family member listed above, as defined in this policy, lived over 300 miles (radius) from Boonville, the employee will be eligible to receive one (1) additional day of paid Bereavement Leave.

Employees will be allowed two (2) hours paid leave to attend the funeral of a co-worker. However, Elected Official/Department Head/Supervisors may limit the number of employees permitted to attend such funeral to ensure and maintain department operations. An employee who serves as a Pallbearer for a co-worker shall be allowed four (4) hours of Bereavement Leave for the funeral.

An excused absence for Bereavement Leave may not be retroactive. However, Bereavement Leave may be postponed or split over a reasonable time period (i.e., a delayed funeral/memorial/burial due to weather conditions, pandemic, scheduling conflicts, etc.). Bereavement Leave will be paid at the employee's regular rate of pay. Employees are not eligible for paid Bereavement Leave for days the employee is not scheduled to work. If an employee is eligible for a paid Bereavement Leave for day(s) the employee was previously scheduled for Vacation Leave the employee will receive the paid Bereavement Leave and will not lose or forfeit the vacation time from the employee's vacation balance. Paid Bereavement Leave is not counted as hours worked for the purposes of calculating overtime.

Records of days taken for paid Bereavement Leave shall be kept by the Elected Official/Department Head and reported on the payroll voucher. Employees will not be paid in lieu of paid Bereavement Leave not taken. The County reserves the right to require documentation to verify the authenticity of the request for Bereavement Leave, and such requests will be made by the Human Resources Manager.

8.6 FAMILY AND MEDICAL LEAVE ACT (FMLA)

The County shall comply with all regulations as described in the Family and Medical Leave Act (FMLA) of 1993 including all subsequent revisions (the "Act"). This policy serves as a general description of employee's FMLA rights; therefore, in the event a conflict arises between this policy and applicable law, employees shall be granted all such rights allowed by law. Warrick County shall adhere to the "General Notice Requirements" prescribed by the Department of Labor through the following actions:

1. Posting required FMLA information explaining provisions of the Act and procedures for filing complaints of violations of the Act with the Wage and Hour Division of the Department of Labor. This information shall be posted prominently where it can be readily viewed by employees and applicants for employment; and
2. Providing this general notice to each County employee by including the notice in the Personnel Policies Handbook or other written guidance to employees concerning employee benefits and leave rights. The general notice may be distributed electronically as deemed appropriate by Warrick County.

A husband and wife who are eligible for FMLA leave and are employed by the County shall be limited to a combined total of twenty-six (26) weeks of leave during the "single twelve (12)-month period" if the leave is taken for birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee's parent with a serious health condition, or to care for a covered servicemember with a serious injury or illness.

While an employee is on FMLA leave for their own serious illness or injury, he/she shall not be engaged in outside employment.

Entitlement

An eligible employee may take up to a total of twelve (12) weeks of unpaid, FMLA leave during any twelve (12) month rolling calendar period as a result of: (1) the birth of the employee's child; (2) the adoption or foster care of a child by the employee; (3) the care of the employee's spouse, child, or parent because of a serious health condition; or (4) the employee's own serious health condition that makes the employee unable to perform the functions of one's position. A "serious health condition" generally means an illness, injury, or other medical condition which renders the employee unable to perform his or her job for three (3) or more consecutive days. FMLA leave for the birth, adoption, or foster care of a child must be taken within one (1) year of the birth or placement.

Serious Health Condition Defined

For purposes of FMLA, a "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care (an overnight stay in a hospital, hospice, or residential medical care facility), including any period of incapacity or any subsequent treatment in connection with such inpatient care, or a condition that requires continuing care by a licensed health care provider. This policy is intended to cover illnesses of a serious and long-term nature resulting in recurring or lengthy absences.

Chronic or Long-Term Health Condition Defined

For purposes of FMLA, a "chronic serious health condition" requires periodic visits, defined as at least twice a year, for treatment by a health care provider, or by a nurse under direct supervision of a health care provider.

Such condition continues over an extended period of time, including recurring episodes of a single underlying condition, and may cause episodic rather than a continuing period of incapacity.

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, represents a “permanent or long-term health condition.” The employee or family member with such condition must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.

This policy is intended to cover chronic, permanent, and long-term health conditions as defined by the FMLA.

Eligibility

To be eligible for FMLA leave, an employee must have completed at least one (1) year of service and have worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) months immediately preceding the requested leave of absence.

Separate periods of employment with the County shall be counted towards the twelve (12) month requirement provided that the break in service does not exceed seven (7) years, unless the separate periods of employment are to the result of National Guard or Reserve military service obligations or where a written agreement exists concerning the employer’s intention to rehire the employee after a break in service.

Intermittent Leave or Reduced Leave Schedule

Intermittent leave or leave on a reduced leave schedule must be medically necessary due to a serious health condition or a serious injury or illness.

Leave for the birth or adoption of a child may be taken intermittently.

An employee shall advise the County, upon request, of the reasons why the intermittent/reduced leave schedule is necessary and of the schedule for treatment, if applicable. The employee and Warrick County shall attempt to work out a schedule for such leave that meets the employee’s needs without unduly disrupting the County’s operations, subject to the approval of the health care provider.

Employee Notice Requirements

Foreseeable FMLA Leave

Whenever the need for FMLA leave is foreseeable, an employee must request the FMLA leave at least thirty (30) days before the leave is to begin.

If thirty (30) days’ notice of an employee’s need for FMLA leave is not practicable because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable – typically either the same day or the next business day of needing such leave.

When scheduling medical treatment, the employee must consult with the employer and make a reasonable effort to schedule the treatment so as not to disrupt unduly the employer’s operations, subject to the approval of the health care provider.

Employee Failure to Provide Notice

Failure to submit a request for foreseeable FMLA leave at least thirty (30) days in advance may result in the FMLA leave being delayed, and any absences that occur prior to the beginning of the leave may be counted as unexcused. The need for leave and the approximate date leave

would be taken must have been clearly foreseeable to the employee thirty (30) days in advance of the leave.

When the need for foreseeable FMLA leave is fewer than thirty (30) days in advance and an employee fails to give notice as soon as practicable under the particular facts and circumstances, the extent to which an employer may delay FMLA coverage for leave depends on the facts of the particular case.

Unforeseeable FMLA Leave

When the need for FMLA leave is not foreseeable, employees must give as much advance notice as is practicable and complete the written leave of absence form no later than fifteen (15) days after the occurrence of the unforeseen medical condition. Notice may be given by the employee's spokesperson (e.g., spouse, adult family member, or other responsible party) if the employee is unable to do so personally.

Employee Failure to Provide Notice

When the need for FMLA leave is unforeseeable and an employee fails to give notice in accordance with the County's FMLA policy, the extent to which the County may delay FMLA coverage depends on the facts of the particular case.

Requesting FMLA Leave

When an employee seeks leave due to a FMLA-qualifying reason for which the County has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

Employees should contact the Human Resources Manager to secure such forms and procedures used for requesting leave under the County's Family and Medical Leave policy. The County shall use Department of Labor forms as follows: WH-380-E (Employee's Serious Health Condition) or WH-380-F (Family Member's Serious Health Condition).

Communicating with a co-worker or leaving a voicemail message does not constitute a request or notice of need for leave. Moreover, calling in "sick" without further information or a specific request for leave will not be considered sufficient notice or request for FMLA leave.

In cases where Warrick County reasonably believes that an employee's underlying health condition qualifies the employee for FMLA or where the employee otherwise meets the eligibility requirements for FMLA, Warrick County may, at its discretion, place the employee on an FMLA leave and count that time off toward the employee's twelve (12) weeks of FMLA leave.

Employer Notice Requirements

Eligibility and Rights & Responsibilities

When an employee requests FMLA leave, or when the County acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, the County must notify the employee of the employee's eligibility to take FMLA leave within five (5) business days, absent extenuating circumstances.

Employee eligibility is determined, and notice shall be provided, at the commencement of the first instance of leave for each FMLA qualifying reason in the applicable twelve (12)-month period.

The County shall use the Department of Labor form WH-381 (Notice of Eligibility and Rights & Responsibilities) to satisfy requirements under this section.

Designation Notice

The County is responsible in all circumstances for designating leave as FMLA-qualifying, and for giving notice of the designation to the employee. When the County has sufficient information to determine whether the leave is being taken for a FMLA-qualifying reason (e.g., after receiving a certification), the County shall notify the employee whether the leave will be designated and will be counted as FMLA leave within ten (10) business days absent extenuating circumstances.

Only one (1) notice of designation is required for each FMLA-qualifying reason per applicable twelve (12)-month period, regardless of whether the leave taken due to the qualifying reason will be a continuous block of leave or intermittent or reduced schedule leave.

If the County determines that the leave will not be designated as FMLA-qualifying (e.g., if the leave is not for a reason covered by FMLA or the FMLA leave entitlement has been exhausted), the County shall notify the employee of that determination.

Warrick County shall use form WH-382 (Designation Notice) If the information provided by the County to the employee in the designation notice changes (e.g., the employee exhausts the FMLA leave entitlement), the County shall provide, within five (5) business days a notice of designation change.

Certification

Employees may be required to produce medical certification, satisfactory to the County, in support of the FMLA leave request, or during approved FMLA leave, or as a condition of return to work at the expiration of said FMLA leave. Such medical certification must be completed prior to the FMLA leave if the need for the leave is foreseeable, or as soon as practicable if the leave is not foreseeable. It is the employee's responsibility to complete or have completed by physician the required forms, and a failure to timely provide the required medical certification will result in the leave being designated as non-FMLA-qualifying, with the absences being counted as unexcused. Additionally, the County may require an employee to report periodically during the FMLA leave period as to the employee's FMLA leave status and the employee's intention to return to work.

The employee must provide the requested and complete certification to the County within fifteen (15) calendar days of the County's reasonable request.

Complete and Sufficient Certification

Upon request, the employee must provide to the County a complete and sufficient medical certification to the County's reasonable satisfaction. The County shall advise an employee whenever the County determines a certification to be incomplete or insufficient, and shall state in writing what additional information is necessary to make the certification complete and sufficient. The employee shall have seven (7) calendar days to fix any such deficiency. If the deficiencies specified by the County are not corrected or supplemented by the employee within seven (7) days of being notified by the County, the County may deny the taking of FMLA leave, in accordance with Federal law.

Clarification and Authentication

If an employee submits a complete and sufficient certification signed by the employee's health care provider, the County may not request additional information from the health care provider. However, the County may contact the employee's health care provider for purposes of clarification and authentication of the medical certification (whether initial certification or recertification) after the County has given the employee an opportunity to fix any deficiencies, as described above. The Human Resources Manager is responsible for obtaining any such clarification and/or authentication as necessary. Under no circumstances may the employee's Elected Official/Department Head/Supervisor contact the employee's health care provider.

The County shall not ask an employee's health care provider for additional information beyond that which is required to authenticate a medical certification provided by the employee. The requirements of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule must be satisfied when individually-identifiable health information of an employee is shared with the County by a HIPAA-covered health care provider.

Second and Third Medical Opinion

The County reserves the right to require a second medical opinion from an independent medical provider. The County shall pay for any second opinion requested by the County under this section, including reasonable "out-of-pocket" travel expenses, and shall designate a provider who is not an employee of the County. If the opinion of the employee's health care provider and the medical provider who provides the second opinion conflict, the County shall obtain a third medical opinion from a different independent medical provider, and the County shall pay for the costs associated with such third medical opinion, including reasonable "out-of-pocket" travel expenses. The opinion of the third medical provider is final and binding on both the County and the employee.

The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider selected to provide a second or third opinion. The County shall provide the employee with a copy of second and/or third medical opinions within five (5) business days of such opinions being made available to the County.

Recertification

The County may require an employee to report periodically during the employee's approved FMLA leave period as to the employee's leave status and the employee's intention to return to work.

The County may seek recertification(s) for FMLA leave taken due to an employee's own serious health condition or the serious health condition of a family member, no more than every thirty (30) days unless the employee requests an extension of leave, circumstances described by the previous certification have changed significantly, or the County receives information that casts doubt upon the employee's stated reason for the absence or the continuing validity of the certification.

Where the employee's need for FMLA leave due to the employee's own serious health condition, or the serious health condition of the employee's covered family member, lasts beyond a single twelve (12) month leave period, the County shall require the employee to provide a new medical certification in each twelve (12) month period.

The employee must provide any requested recertification to the County within fifteen (15) calendar days after the County's request.

Any recertification requested by the County shall be at the employee's expense.

Fitness-for-Duty Certification

The County may require a fitness-for-duty certification before an employee returns to work from FMLA leave other than intermittent leave. The County shall notify an employee in form WH-382 (Designation Notice) whether a fitness-for-duty certification shall be required. The cost of the certification shall be borne by the employee, and the employee is not entitled to be paid for the time or travel costs spent in acquiring the certification. The County may delay restoration to employment until an employee submits a required fitness-for-duty certification.

Calculation of FMLA Leave

The County uses the rolling calendar method. A "rolling" twelve (12) – month period is measured backward from the date any employee uses any FMLA leave. Using this method, the County will look back over the past twelve (12) months from the date of an employee's FMLA request and subtract the total FMLA leave time used from the employee's twelve (12) week allotment.

In situations where both spouses in a single household are employed by the County and FMLA leave is requested and approved to care for a newborn child or a child newly placed for adoption or foster care, the employees combined total leave is limited to twelve (12) weeks. Such leave must be taken within twelve (12) months from the date of birth or the date of placement.

An employee shall use any sick and vacation time for any part of the twelve (12) week period under the County's FMLA policy. However, employees will be allowed to retain one (1) week of his or her vacation time to take during the calendar year during non-FMLA leave. Any holiday that occurs during an FMLA leave shall be paid.

Accruals for vacation benefit calculations, such as vacation, shall not be affected by taking FMLA leave.

FMLA Intermittent or Reduced Leave

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. "Intermittent leave" is FMLA leave taken in separate blocks of time due to a single qualifying reason. A "reduced leave schedule" is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time. Intermittent or reduced schedule leave must be scheduled so as not to unduly disrupt Warrick County's operation.

For intermittent leave or leave on a reduced leave schedule taken because of one's own serious health condition, to care for a parent, son, or daughter with a serious health condition, or to care for a covered servicemember or veteran, there must be a medical need for leave and it must be that such medical need is best accommodated through an intermittent or reduced leave schedule. The treatment regimen and other information described in the certification of a serious health condition and in the certification of a serious injury or illness, if required by the employer, must address the medical necessity of intermittent leave or leave on a reduced leave schedule. Leave may be taken intermittently or on a reduced leave schedule when medically necessary for planned and/or unanticipated medical treatment or recovery of a serious health condition, injury or illness of a servicemember/veteran. Leave may also be taken to provide care or psychological comfort to a covered family member with a serious health condition or a covered servicemember/veteran with a serious injury or illness.

When leave is taken after the birth of a healthy child or placement of a healthy child for adoption or foster care, an employee may only take leave intermittently or on a reduced leave schedule if agreed to by the County. Such a schedule reduction might occur, for example, where an employee, with the employer's agreement, works part-time after the birth of a child, or takes leave in several segments. Intermittent leave may also be taken for a serious health condition of a parent, son, or daughter, for the employee's own serious health condition, or a serious injury or illness of a covered servicemember which requires treatment by a health care provider periodically, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks. Examples of intermittent leave include, without limitation, leave taken on an occasional basis for medical appointments, or leave taken several days at a time spread over a period of six (6) months, such as for chemotherapy. A pregnant employee may take leave intermittently for prenatal examinations or for her own condition, such as for periods of severe morning sickness. An example of an employee taking leave on a reduced leave schedule is an employee who is recovering from a serious health condition and is not able to work a full-time schedule. Intermittent or reduced schedule leave may be taken for absences where the employee or family member is incapacitated or unable to perform the essential functions of the position because of a chronic serious health condition or a serious injury or illness of a covered servicemember. Leave due to a qualifying exigency may also be taken on an intermittent or reduced leave schedule basis.

If an employee has an approved or pending intermittent leave, and has a planned absence, the eligible employee will be required to report that absence to the appropriate County representative thirty (30) days prior to the absence if possible. If thirty (30) days' notice is not possible the eligible employee must report the absence in a timely manner.

Calling in "sick" does not qualify as FMLA leave. An employee must provide sufficient information regarding the reason for an absence for Warrick County to know that FMLA protection may exist under this policy. Failure to provide this information as requested will result in the employee's forfeiting all rights under the policy. This means the absence may then be counted against the employee for purposes of discipline for attendance, etc.

Warrick County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced leave schedule for the employee that is foreseeable and/or for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

Intermittent leave shall be calculated using one (1) hour increments.

Maintenance of Employee Benefits

While on FMLA or military caregiver leave, an employee's medical, dental, vision, voluntary insurances coverage (as applicable) will continue at the same level of coverage. Premium deductions will continue for any period of leave where Sick/Vacation days or other paid leave run concurrent with an employee's FMLA or military caregiver leave. Because FMLA and military caregiver leave is unpaid, an employee will not be compensated for time taken off for FMLA or military caregiver leave.

Employees who are not receiving any form of paid leave while on FMLA must continue to pay the employee's portion of the voluntary insurance premiums and make necessary arrangements with the County to ensure the employee continues to make his or her premium payment on a timely basis. Failure to pay the employee's portion of the employee's insurance premiums may result in cancellation or forfeiture of those benefits.

Employee Reinstatement

Upon return from FMLA leave, an employee is entitled to be reinstated to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee has been replaced or his or her position has been restructured to accommodate the employee's absence. However, the County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate situations of intermittent leave.

Except as otherwise may be provided or required by law, Employees who do not return to work upon exhaustion of their allotted FMLA or military caregiver leave will be deemed to have voluntarily resigned their employment and the employee shall repay Warrick County the costs of maintaining the employee's medical, dental, vision, voluntary insurances coverage during the employee's leave period.

Key Employees

Warrick County has the right under the FMLA to deny job restoration to certain "key employees" if necessary to prevent substantial and grievous economic injury to Warrick County operations. A "key employee" is a salaried FMLA-eligible employee who is among the highest paid ten percent (10%) of all the employees employed by the County. When denying job restoration to a key employee, the County will notify the employee of his or her status as a key employee and will provide all other information required by law.

8.7 MILITARY FAMILY LEAVE ENTITLEMENTS

Effective January 28, 2008, the National Defense Authorization Act for FY 2008 (NDAA) amended the FMLA to allow eligible employees to take up to twelve (12) weeks of leave in the applicable twelve (12) month period for any "qualifying exigency" arising out of the active duty or call to active-duty status of a spouse, son, daughter, or parent.

The NDAA also amended the FMLA to allow eligible employees to take up to twenty-six (26) weeks of leave in a single twelve (12) month period to care for a covered servicemember with a serious injury or illness. These two (2) new types of FMLA leave are known as the Military Family Leave Entitlements.

This Military Family Leave Entitlements Policy supplements the County's FMLA policy and provides notice of employee rights to such leave. Except as mentioned below, an employee's rights and obligations to Military Family leave are governed by the County's existing FMLA policy. Military Family leave runs concurrent with other leave entitlements provided under federal, state, and local law, such as Indiana Military Family leave.

The employee's first date of leave must occur within said five (5) year period; however, the employee may continue to take such leave throughout the "single twelve (12)-month period" of leave even if the leave extends beyond the five (5) year period.

Employee Notice Requirements

Employees seeking to use Military Family leave must provide thirty (30) days advance notice of the need to take such leave for planned medical treatment for a serious injury or illness of a covered servicemember. If Military Family leave is foreseeable but thirty (30) days advance

notice is not practicable, the employee must provide notice as soon as practicable – generally, either the same or next business day.

An employee must provide notice of the need for foreseeable Military Family leave due to a qualifying exigency as soon as practicable. When the need for Military Family leave is not foreseeable, the employee must provide notice to the County as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave with the time prescribed by the County's usual and customary notice requirements. Please see section "Requesting FMLA Leave" above.

The employee must provide the requested and complete certification to the County within fifteen (15) calendar days of the County's request.

Entitlement

An employee is entitled to twelve (12) weeks of unpaid Military Family leave in the event of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered service member on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

An employee is entitled to twenty-six (26) weeks of unpaid Military Family leave of care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember.

"Covered Active Duty" Defined

The term "covered active duty" means, in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country or international waters; and in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country or international waters under a call or order to active duty pursuant to applicable law.

"Covered Servicemember" Defined

The term "covered servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or condition that existed before the servicemember's active duty but was aggravated by service in the line of duty on active duty; or a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness, or condition that existed before the servicemember's active duty but manifested before or after becoming a veteran, and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of five (5) years preceding the date on which the veteran undergoes such medical treatment, recuperation, or therapy.

Qualifying Exigency Leave

An eligible employee may take up to a total of twelve (12) weeks of unpaid, FMLA leave in a rolling twelve (12) month period due to a qualifying exigency arising out of the call to active duty of a spouse, child, or parent in support of a contingency operation. FMLA leave may be taken while the employee's spouse, son, daughter, or parent is on active duty or called to active duty status. Qualifying exigency leave is available to a family member of a military member in the National Guard or Reserves or a retired military member of the Regular Armed Forces or Reserve; it does not extend to family members of military members in the Regular Armed Forces.

A call to active duty for purposes of leave taken because of a qualifying exigency refers to a Federal call to active duty. State calls to active duty are not covered unless under order of the President of the United States pursuant to applicable law in support of a contingency operation.

Such leave may commence as soon as the military member receives the call up notice. This type of leave will be counted toward the employee's twelve (12)-week maximum of FMLA leave in a twelve (12)-month period.

Qualifying exigencies include, without limitation, the following:

1. Short-notice deployment. Issues arising from a covered service member's short notice deployment (i.e., deployment on seven [7] or less days of notice) for a period of seven (7) days from the date of notification;
2. Military events and related activities. Events and activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered service member;
3. Childcare and school activities. Certain childcare and related activities arising from the active duty or call to active duty status of a covered service member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, or immediate need basis, enrolling or transferring a child in a new school or day care facility, or attending certain meetings at a school or a day care facility if necessary due to circumstances arising from the active duty or call to active duty of the covered service member;
4. Financial and legal arrangements. Making or updating financial and legal arrangements to address a covered service member's absence;
5. Counseling. Attending counseling provided by an individual other than a health care provider for the employee, the covered service member, or the child of the covered service member, the need for which arises from the active duty or call to active duty status of the covered service member;
6. Rest and recuperation. Taking up to fifteen (15) days of leave to spend time with a covered service member who is on short-term temporary rest, and recuperation leave during deployment;
7. Post-deployment activities. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the covered service member's active duty status, and addressing issues arising from the death of a covered service member; and
8. Additional activities. Any other event that the employee and County mutually agree is a qualifying exigency.

Certification

The first time an employee requests leave because of a qualifying exigency arising out of the active duty or call to active duty status of a covered service member, the County shall require the employee to provide a copy of the covered service member's active duty orders or other documentation issued by the military which indicates that the covered service member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered service member's active duty service.

An employee shall provide to the County a copy of any new active duty orders or other documentation issued by the military if the need for leave due to a qualifying exigency arises out of a different active duty or call to active duty status of the same or a different covered service member.

The County shall use the Department of Labor form WH-384 (Qualifying Exigency) to satisfy requirements under this section.

Verification

Except as otherwise provided, if an employee submits a complete and sufficient certification to support his or her request for leave because of a qualifying exigency, the County shall not request additional information from the employee.

The employee's permission is not required in order for the County to verify meetings or appointments, but no additional information may be requested by the County. The County also shall contact the appropriate unit of the Department of Defense to request verification that a covered service member is on active duty or call to active duty status; no additional information may be requested and the employee's permission is not required.

Military Caregiver Leave

An eligible employee may take up to a total of twenty-six (26) weeks of unpaid, FMLA leave in a rolling calendar year, in qualifying circumstances, to care for covered family members with a serious illness or injury who is a service member of the U.S. Armed Forces ("Military Caregiver leave). "Covered family members" include a spouse, child, parent, or nearest blood relative who is a service member that, as a result of a serious injury or illness incurred by the service member in the line of duty in the Armed Forces, is undergoing medical treatment, recuperation, or therapy, is in an outpatient status, or is on the temporary disability retired list.

Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and service members on the permanent disability retired list.

Military Caregiver leave is the only type of FMLA leave that may extend an employee's leave entitlement beyond twelve (12) weeks to a combined total of twenty-six (26) weeks of leave for any FMLA-qualifying reason during the "single twelve (12) month period." However, only twelve (12) of the twenty-six (26) weeks total may be for a FMLA-qualifying reason other than to care for a covered servicemember.

The "single twelve (12)-month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established by the employer for other types of FMLA leave.

Nearest Blood Relative Defined

The “nearest blood relative of a covered service member” is the nearest blood relative, other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of Military Caregiver leave under the FMLA.

Designating Leave

In the case of leave that qualifies as both Military Caregiver Leave and leave to care for a family member with a serious health condition during the “single twelve (12)-month period,” the County shall designate such leave as leave to care for a covered service member in the first instance.

Certification

When Military Caregiver Leave is taken to care for a covered service member with a serious injury or illness, the County shall require an employee to obtain a certification completed by an authorized health care provider of the covered service member so as to substantiate the employee’s request for such leave.

The County, if appropriate, shall seek authentication and/or clarification of the certification as stated above in the County’s FMLA policy See Section 8.5. However, second and third opinions and recertifications, as outlined above in the County’s FMLA policy, are not permitted for leave to care for a covered service member.

The County shall require an employee requesting Military Caregiver leave under this section to provide confirmation of covered family relationship to the seriously injured or ill covered service member.

The County shall use the Department of Labor Form WH-385 (Serious Injury or Illness of Covered Servicemember) to satisfy requirements under this section.

ITOs and ITAs Certification

The County, in place of the Department of Labor Form WH-385, shall accept “invitational travel orders” (“ITOs”) or “invitational travel authorizations” (“ITAs”) issued to any family member to join an injured or ill covered service member at his or her bedside as sufficient certification under this policy. An ITO or ITA is sufficient certification for the duration of time specified in the ITO or ITA. During such time period, the employee may take Military Caregiver leave to care for the covered service member in a continuous block of time or on an intermittent basis.

An employee who provides an ITO or ITA to support his or her request for Military Caregiver leave shall not be required to provide any additional or separate certification that such leave taken on an intermittent basis during the period of time specified in the ITO or ITA is medically necessary. An ITO or ITA is sufficient certification for an employee entitled to take FMLA leave to care for a covered service member regardless of whether the employee is named in the order or authorization.

If an employee’s requested Military Caregiver extends beyond the expiration date specified in an ITO or ITA, the County shall request that the employee have an authorized health care

provider complete the Department of Labor Form WH-385 (Serious Injury or Illness of Covered Servicemember), as requisite certification for the remainder of the employee's leave period.

The County, if appropriate, shall seek authentication and/or clarification of the ITO or ITA as part of an employee's request for Military Caregiver Leave, as set forth above in the County's FMLA policy. However, second and third opinions and recertifications, as outlined above in the County's FMLA policy, are not permitted during the period of time in which leave is supported by an ITO or ITA.

8.8 MILITARY LEAVE

Full-time employees of Warrick County who are members of the Indiana National Guard or reserves for the naval, air, or ground armed forces, shall be entitled to a leave of absence from their respective duties in accordance with Indiana Code 10-2-4-3, Title 38, U.S.C. Chapter 43, Sections 4301-4333, the Uniformed Services Reemployment Rights Act of 1994 (USERRA) and other applicable provisions of State and Federal law ("Military leave").

An employee seeking such Military leave must complete a Request for Leave Form and submit a copy of their military orders to the Elected Official/Department Head and the Human Resources Manager.

Fifteen (15) Day Paid Leave for Training. An employee issued appropriate military orders will be granted paid Military leave from the County for up to fifteen (15) days per calendar year for training purposes and said leave shall not be "charged" against the employee's benefit leave accrual.

Unless otherwise provided, paid military leave for an employee does not apply to weekend training drills. However, if the employee has military orders for weekend training and is scheduled to work that same weekend, the employee may be paid for these days. Notwithstanding the foregoing, the employee is only eligible to receive pay for a total of fifteen (15) days per calendar year unless benefit time is used.

An employee granted Military leave to attend two (2) week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time.

Training in Excess of Fifteen (15) Days or Extended Active Military Duty. An employee whose Military leave exceeds fifteen (15) days per calendar year may choose to charge the absence which exceeds fifteen (15) days to accrued time off (i.e., vacation, compensatory time, or holidays) or have such leave be considered as absent without pay.

Status of Benefits While on Military Leave. An employee granted Military leave to attend two (2) week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time.

Active Duty/Enlistment

The Uniformed Services Employment and Re-employment Rights Act (USERRA) of 1994 grants special considerations and rights to employees that are either called to active military status or enlist in the armed forces. Any Active Duty Military leave granted to an employee constitutes unpaid leave.

Upon return from Active Duty Military leave, USERRA requires employers to grant an employee reinstatement of the position held at the time of departure for military service, or in some cases to a position of equivalent or equal stature and pay provided the employee is discharged from service honorably, and makes a request for reinstatement within thirty (30) days after release from active duty, or one (1) year after release from hospitalization due to military accident. The employee must also be qualified to perform the essential functions of the position for which he/ or he is being reinstated, and shall be required to provide any necessary medical release forms upon reasonable request. The cumulative length of service resulting in an absence from a position may not exceed five (5) years, except as provided by law.

USERRA also requires that returning, eligible employees be granted seniority and benefits at the same level as if the employee had not left employment for Active Duty Military service. An employee's benefits will continue to accrue while the employee is on Active Duty military leave. Additionally, service members may (but are not required to) use accrued vacation or personal leave while performing military duty.

An employee on Active Duty Military leave and are under the County's health care plan may elect, at their own cost, to continue the health plan coverage for up to twenty-four (24) months after such leave begins or the period of active duty service, whichever is shorter.

8.9 EXTENDED NON-PAID LEAVE OF ABSENCE

- A. Definition. As used in this Section, "extended non-paid leave of absence" is leave from employment duties for a reason which serves the best interest of the County. This Section is not intended to affect or impact any leave of absence approved or any leave of absence approved or allowed as a condition of employment during the hiring process. An unpaid leave of absence will not be considered until vacation leave and sick leave has been exhausted.
- B. Eligibility. Only full-time employees with at least one (1) year of continuous service are eligible to apply for an extended non-paid leave of absence.
- C. Duration. An extended non-paid leave of absence may be granted for up to six (6) months.
- D. Application. An employee desiring to take extended non-paid leave of absence shall submit an Application for Extended Non-Paid Leave of Absence Form to the Human Resources Manager. A copy to the request form will be provided to the employee's Elected Official/Department Head by the Human Resources Manager.
- E. Approval. The decision as to whether to grant an extended non-paid leave of absence, and the terms thereof, lies entirely with the Board of Commissioners.
- F. Compensation. An employee shall not be paid during their extended non-paid leave of absence.
- G. Benefits. An employee will not accrue any benefits while on extended non-paid leave of absence; however, an approved extended non-paid leave of absence does not constitute a break for purposes of determining the employee's continuous service. Accordingly, the employee's eligibility for benefits that require continuous service will not be affected during the period that an employee is on extended non-paid leave of

absence. The employee on extended non-paid leave of absence will remain on PERF, and merit deputies will remain on the County police retirement plan, but no additional PERF contributions by the County will be made during the employee's extended non-paid leave of absence. The employee on extended non-paid leave of absence will continue to have medical insurance benefits, if eligible under the terms of the insurance policy; however, the employee must make arrangements with the Warrick County Auditor's payroll deputy in conjunction with the Human Resources Manager to pay premiums for voluntary benefits.

- H. Return from Leave. Before returning to work following an Extended Non-Paid Leave of Absence, an employee must provide written notice to the Human Resources Manager and the employee's Elected Official/Department Head of the employee's intention to return to work, according to the terms specified by the Elected Official/Department Head and the respective authority overseeing the department or office and as stated in the leave designation letter provided to the employee upon approval of the extended non-paid leave of absence.
- I. Forfeiture of Right to Return to Work. If an employee fails to return to work at the conclusion of an Extended Non-Paid Leave of Absence in accordance with the terms stated in the leave designation letter, as referenced in subsection H above, such failure may result termination of employment, subject to the decision of the Elected Official/Department Head and Board of Commissioners.

8.10 JURY DUTY AND COURT APPEARANCES

The County encourages employees to fulfill their civic responsibilities by serving jury duty when required.

An employee must show the jury duty summons to his or her Elected Official/Department Head/Supervisor as soon as possible so that the Elected Official/Department Head/Supervisor may make arrangements to accommodate the employee's absence. An employee serving jury duty is expected to report for work whenever the Court schedule permits.

An employee subpoenaed to testify as the result of employment by the County shall receive regular pay if such employee is required to testify during the regular work schedule. Any employee receiving a subpoena should immediately contact the County Attorney.

Either the County or the employee may request an excuse from jury duty if, in the County's judgment, the employee's absence would create serious operational difficulties.

If an FTPR employee is called for jury duty in a court of law during any portion of the employee's regular scheduled working day, the employee shall receive his or her regular salary or wage in full for such time in court. FTA, PT, and Temporary employees are not eligible for paid jury duty.

If an FTPR employee is called for court jury duty or subpoenaed to testify in a court outside of Warrick County, he or she shall receive County pay to make up the difference between their jury duty pay and their regular salary. FTA, PT, and Temporary employees are not eligible for paid jury duty.

If an employee is subpoenaed to testify in a court of law during any portion of the employee's regular scheduled working day, the employee shall receive his or her regular salary or wage in full for such time in court.

If an employee is called for jury duty or subpoenaed to testify in a court of law outside of his or her regularly scheduled working hours, all compensation received for such court service shall be retained by the employee.

An employee selected for jury duty shall report to work following jury duty if two (2) hours or more remains during his or her scheduled workday.

The County will continue to provide all regular benefits for the full term of jury duty and court appearances allowed under this policy.

8.11 NURSING MOTHERS

Warrick County shall provide for reasonable, paid breaks for employees to express breast milk for their infant child. The break time must, if possible, run concurrently with any break time already provided. The County is not required to provide break time under this section if providing break time would unduly disrupt the operations of the County.

Warrick County shall make reasonable efforts to provide a room or other location, other than a toilet stall, in close proximity to the work area, where employees can express their breast milk in privacy during any period away from their assigned duties. The County shall make reasonable efforts to provide a refrigerator or other cold storage space for storing breast milk, or allow employees to store their breast milk in their own portable storage device until the end of their workday.

Except in cases of willful misconduct, gross negligence, or bad faith, Warrick County is not liable for any harm caused by or arising from either of the following that occur on the County's premises:

- A. The expressing of an employee's breast milk; or
- B. The storage of expressed milk.

9. OTHER POLICIES AND PROCEDURES

9.1 TRAVEL

Travel Time

- A. Home-to-Work Travel. Employees are not entitled to compensation for travel to and from home. This policy does not apply to merit deputies and special deputies.
- B. Out-of-Town Travel. An employee who is sent out of town for one (1) day will be paid for time spent in traveling the same hours as their normal shift.
- C. Overnight Travel. If an employee travels overnight on business and is gone for more than one (1) day, the employee will be paid for time spent in traveling during his or her normal working hours, even if the travel time occurs during non-work days. Travel time hours is not considered work time. However, any actual work performed by the employee while traveling is considered to be work time. If an employee drives a car, without being offered public transport, then the travel time is considered work time.

Business Travel

Whenever practicable, travel will be accomplished in a County vehicle or via common carrier. If a personal vehicle must be used for authorized out-of-town or overnight travel, the employee shall be reimbursed at prevailing rates authorized by the County Council.

Warrick County Elected Official/Department Heads are responsible for authorizing employee business travel and reimbursement of travel expenses, including overnight lodging, meal costs, and transportation. All such reimbursements are subject to approval by the Elected Official/Department Head. In all cases, the expense for which an employee seeks reimbursement must have been budgeted in departmental budgets or else specifically approved by the County Council. Employees must provide original and itemized receipts to their Elected Official/Department Head to be eligible to receive reimbursement.

State Called Meetings

The County will reimburse County employees for a state called meeting specified by statute or the State Board of Accounts.

Regardless of the duration of the meeting, only one (1) mileage reimbursement shall be allowed to the Elected Official/Department Head/Supervisor furnishing the conveyance although the official transports more than one (1) person.

The following expenses incurred by an employee while on authorized official County business requiring overnight accommodations are **not** eligible for reimbursement:

1. Personal entertainment;
2. Fines issued for parking, speeding, and other similar traffic violations;
3. Alcoholic beverages;
4. Valet services;
5. Travel related to personal entertainment; and

The following constitutes the procedure for an employee to request reimbursement of expenses incurred by said employee while on authorized official County business

1. File claim immediately upon return;
2. Complete and sign County claim form identifying the person to receive payment; and
3. Attach to the claim form credit card receipts and other receipts certifying expenses for which reimbursement is being sought. Receipts must be attached for reimbursement.

An employee who has verbally, or in writing, agreed to attend a meeting for which registration fees payment has been authorized by the County but then fails to attend said meeting, shall reimburse the County for the cost of said registration fees. If the County has been notified of the employee's canceling, the Board of Commissioners, in its sole discretion, may waive the County's right to seek reimbursement from the employee for the costs.

9.2 RISK REDUCTION MEASURES

Hiring

The Human Resources Manager takes reasonable measures to conduct background investigations to review candidates' backgrounds and to reduce the risk of hiring individuals with a history of violent behavior.

Safety

Warrick County Government conducts annual inspections of the premises to evaluate and determine any vulnerabilities to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

Identifying Dangerous Situations

Although Warrick County Government does not expect employees to be skilled at identifying potentially dangerous persons, employees should look out for individuals, including any other employees, who display signs of dangerous behavior, including, without limitation:

1. Discussing weapons or bringing them to the workplace.
2. Displaying overt signs of extreme stress, resentment, hostility, or anger.
3. Making threatening remarks.
4. Showing sudden or significant deterioration of performance.
5. Displaying irrational or inappropriate behavior.

Handling Dangerous/Emergency Situations

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm and notify their Elected Official/Department Head/Supervisor and/or security personnel. In emergency situations, employees shall call 911 or use the emergency contact system on the employee's computer/in their office and notify your Elected Official/Department Head/Supervisor. If the Elected Official/Department Head/Supervisor is unavailable or if the nature of the complaint is such that the employee does not believe he or she can discuss it with the Elected Official/Department Head/Supervisor the employee may bring concerns to Human Resources Manager. Employees who act in good faith by reporting real or implied violent behavior violations of this policy need not fear retaliation.

Any employee who is a party to any protective or restraining order is required to provide their Elected Official/Department Head with a copy of such order so the County can take reasonable steps to comply with same.

9.3 CONFIDENTIALITY/REQUESTS FOR INFORMATION

In performing their job duties and responsibilities, employees may be exposed or otherwise have access to information which Warrick County Government considers confidential. Employees who maintain or have access to this information as part of their job responsibilities are expected to treat the information as confidential and not discuss or disclose same except as may be necessary in connection with the performance of their job

Occasionally, members of the public contact employees for information about current or former employees, or about the organization's policies, practices, or projects.

Employees shall consult with their Elected Official/Department Head before releasing information to members of the public which could be confidential or privileged by law. It is a violation of state law for a public servant to knowingly or intentionally disclose information classified as confidential.

9.4 DRUG-FREE WORKPLACE

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of alcohol or any illegal drug(s) while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by Warrick County.

Warrick County maintains a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988, and the State of Indiana Drug-Free Workplace Executive Order No. 90-5 of 1990. Failure to comply with this law may jeopardize government funds received by Warrick County. Any employee who is convicted of a drug-related crime arising out of conduct while on official County business, or when serving as a representative of the County, must notify the County within twenty-four (24) hours of the conviction.

The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on County property, attending business-related activities, on duty, or while operating a vehicle or machine leased or owned by the County is strictly prohibited and may result in suspension with or without pay or immediate termination. When appropriate, the County may refer the employee to approved counseling or rehabilitation programs.

Employees may use physician-prescribed medications, provided the use of such drugs does not adversely affect job performance, the safety of the employee, or the safety of other individuals in the workplace. Employees may keep prescription drugs on County premises when prescribed by a medical physician. Over-the-counter medications may also be kept on County premises on an as-needed basis. Employees who operate vehicles or equipment in the course of their employment shall notify their Elected Official/Department Head of any prescription drugs and over-the-counter medications taken by the employee which may impair their judgment in the performance of their job duties and responsibilities.

Drug Testing for Employees Not Covered by CLD Policy

Warrick County is committed to providing a safe, efficient, and productive work environment for all employees. In keeping with this commitment, employees and post offer job applicants may be requested to provide body substance samples (e.g., blood, urine, hair, or other body substances) to determine the prohibited use of marijuana, cocaine, opiates, amphetamines, alcohol, barbiturates, and phencyclidine (PCP), and/or other illegal drugs. Results of any drug testing shall remain in the employee's confidential medical file. Sheriff's office employees shall refer to their department policy and procedures manual for drug testing.

Reasonable Suspicion

An employee will be requested to submit to a drug or alcohol test when the Elected Official/Department Head, the Human Resources Manager, or other trained Drug and Alcohol Supervisor has reasonable suspicion that the employee has used alcohol or drugs or is impaired from the use of alcohol or drugs during employment hours with the County. In the event that an employee is requested to submit to a drug test, Elected Official/Department Head/Supervisor, the Human Resources Manager, or trained Drug and Alcohol Supervisor shall complete a Reasonable Suspicion Observation Form or other approved form. These forms are

available from the Human Resources Manager or trained Drug and Alcohol Supervisor. All completed forms must be returned to the Human Resources Manager.

Post-Rehabilitation Testing

When an employee has had a confirmed positive test result, or has been sent to a drug dependency program at the request of the County, Warrick County, as a condition of continued employment, will require the employee to take and pass follow-up drug tests during a probationary period within the two (2) year period after the employee's return to work. Employees who refuse to submit to such test(s) are subject to immediate termination.

Positive Test

If an employee tests positive on an initial screening test, the employee shall be suspended with pay and be required to submit to a second confirmation test. If said confirmation test yields a positive result for the presence of alcohol or illegal drugs, the employee shall be subject to disciplinary action, up to and including termination. Discipline will be selected by Warrick County Commissioners.

Right to Explain Test Results

All employees and applicants have the right to meet with the with Warrick County Commissioners and Human Resources Manager, to explain their test results. These discussions shall be considered confidential, except that information disclosed in such tests will be communicated to personnel within Warrick County or within the lab who need to know such information to make proper decisions regarding the test results or regarding the employment of the individual.

Right to Review Records

Employees have a right to obtain copies of all drug test results from the testing laboratory, or from Warrick County. If an employee disagrees with the results of a drug test, the employee, within five (5) days of being made aware of the results of the initial drug test, may request and take a second confirmation test be conducted. Such confirmation testing will be at the expense of the employee, unless the confirmation test yields a contrary result when compared to the initial test, in which case Warrick County shall reimburse the employee for the costs incurred for the second confirmation test.

Confidentiality Requirements

All records concerning test results will be kept in confidential medical files that are maintained separately from the personnel file of the employee.

Retesting

Employees may request a retest of their positive test results within five working days after notification by the County of such positive test result. This retest is at the expense of the individual, unless the original test result is called into question by the retest.

Where the employee or applicant believes that the positive test result was affected by taking lawful or prescribed substances, the individual may be suspended without pay pending receipt of confirming information to substantiate the claims of the individual. Normally, the individual will be provided no more than five business days in which to provide this additional information.

Once the County has determined whether there is evidence to indicate that the test results are incorrect, the County will advise the individual of its decision.

Treatment, Termination, and Rehire

An employee who tests positive for any drug(s) listed on the disclosure list may elect to enter into an authorized treatment program approved by the Warrick County Commissioners, and agree to subsequent retesting for a period of two (2) years after returning from treatment. Refusal by the employee to enroll in such authorized treatment program and/or agree to said subsequent retesting shall result in the employee's immediate termination, and the employee will not be considered for rehire until he or she is capable of demonstrating that he or she has remained drug-free for a period of two (2) consecutive years or more.

Post-Accident Testing

Post-accident testing may be required when an employee is involved in an accident on County property or while operating a County vehicle and/or personal equipment or vehicles in pursuit of County business which results in either: (1) the death or injury of a County employee or a member of the general public; or (2) damage to public or private property and/or equipment. Warrick County reserves the right to order post-accident tests as it deems appropriate based on the totality of the circumstances surrounding the accident. Post-accident tests may include screens for both drugs and alcohol.

Random Testing

Employees who drive non-CDL County vehicles may be subjected to random drug and/or alcohol tests. Random testing will be also conducted for Highway Department employees, per DOT regulations.

Federal Motor Safety Regulations/Commercial Driver's License Drug and Alcohol Policy

This policy shall apply to any employee required to hold a commercial driver's license ("CDL") in order to operate a vehicle or equipment as part of employment with Warrick County.

Warrick County has instituted this policy to provide a healthy and safe work environment for its employees and to ensure the safety of the public. The provisions of this policy are established to address the use and possession of alcohol, controlled substances, physician-prescribed medications, and over-the-counter medications by employees in positions that have been classified as "safety-sensitive."

It is the policy of Warrick County to comply with and abide by all laws and regulations that have been established by the Federal Motor Carrier Safety Regulations, U.S. Department of Transportation (DOT), and Federal Highway Administration (FHWA). In complying with these regulations, the County hereby institutes a comprehensive controlled substance and alcohol testing, training, and record keeping program for employees in positions that have been classified as safety sensitive.

Per U.S. Department of Transportation (DOT), all employees who are required to have a valid CDL must provide electronic consent to release detailed drug and/or alcohol violation information in the clearinghouse record in order for the County to conduct a new hire and annual full query. Failure to consent to a query will result in the employee being prohibited from performing safety-sensitive functions for the County and immediate termination.

In accordance with DOT/FHWA regulations, included in this classification of safety-sensitive positions are all positions which require an employee to operate a commercial motor vehicle

and/or hold a commercial driver's license. Information and training concerning the specific provisions of this policy will be provided to all employees and Elected Official/Department Head/Supervisors of employees holding safety sensitive positions.

9.5 UNIFORM DISCIPLINARY POLICY

The purpose of this policy is to give employees notice, insofar as possible, of the County's standards, requirements, and expectations, which are not covered elsewhere in the Employee Handbook. Work rules described herein are not all-inclusive and the omission of a specific policy prohibiting a particular kind of conduct does not mean the conduct is acceptable to the County.

It is also the purpose of this policy to describe the County's general philosophy concerning discipline and termination. Each discipline or termination situation presents a unique set of circumstances that will be reviewed and decided on its individual facts and in the context of the surrounding circumstances.

THIS UNIFORM DISCIPLINARY POLICY IS NOT INTENDED TO CREATE A CONTRACT BETWEEN THE COUNTY AND ITS EMPLOYEES. WARRICK COUNTY MAY CHANGE THIS POLICY FROM TIME TO TIME, AND ALL EMPLOYEES WILL BE NOTIFIED OF SUCH CHANGES.

Progressive Discipline

Normally, employee misconduct or unsatisfactory performance will be subject to the following progressive disciplinary system, except as otherwise provided herein:

1. The first offense or incident will result in a documented verbal warning.
2. The second offense or incident will result in a written warning with the employee being subject to being placed on a performance improvement plan to correct the performance/behavior giving rise to the offense or incident.
3. A third offense or incident may result in a final written warning, unpaid suspension, and also may include zero tolerance for a specified amount of time depending on the nature of the offense, or immediate termination.

Examples of employee misconduct or unsatisfactory performance, this is not an all-inclusive list:

Failure to report for duty within a reasonable time after call.

Reporting to work clothed or groomed in an unclean or inappropriate manner.

Discourteous treatment of the public.

Neglect or carelessness in signing in or out.

Failure to cooperate with other employees as required by job duties.

Distracting the attention of others, unnecessary shouting, demonstrating or otherwise causing a disruption on the job.

Malicious mischief, horseplay, wrestling or other undesirable conduct, including use of profane or abusive language.

Unauthorized use of telephone, faxes, computer, mail or email for personal use.

Unsatisfactory work or failure to maintain required standards of performance.

Unauthorized breaks.

Leaving the job or work area during regular working hours without authorization.

Threatening, intimidating, coercing or interfering with subordinates or other employees.

Obligating Warrick County for any expense, service or performance without authorization.

Sleeping during working hours.

Reporting for work or working while unfit for duty.

Conduct violating morality or common decency – for example, sexual harassment.

Unauthorized use of County property or equipment.

Performing personal work while on County time.

Willful failure to sign in or out when required.

Failure to report for overtime work without good reason after being scheduled to work according to overtime policy.

Willful failure to make required reports.

Solicitation on County premises without authorization.

The making or publishing of false, vicious, malicious, or threatening statements to or concerning employees, supervisors, the County or its operations.

Refusing to provide testimony in court during an accident investigation or during any type of public hearing.

Giving false testimony during a complaint or grievance investigation or hearing.

Unauthorized posting, removal or alteration of notices or signs from bulletin boards.

Distributing or posting written or printed material of any description on County premises unless authorized.

Unauthorized presence on County property.

Willful disregard of department rules.

Use of abusive or threatening language toward supervisors or other employees.

Failure to report accidents, injury or equipment damage.

Wanton or willful neglect in the performance of assigned duties or in the care, use or custody of any County property or equipment. Stealing, abuse, or deliberate destruction of County property, tools, equipment, or the property of employees.

Punching, signing or altering other employee' time cards, time sheets or unauthorized altering of own time card or time sheet.

Falsifying testimony when accidents are being investigated, falsifying or assisting in falsifying or destroying County records, including work performance reports, or giving false information or withholding pertinent information called for in making application for employment.

Making false claims or misrepresentation in an attempt to obtain any County benefit.

The use of illegal controlled substances or the sale of illegal controlled substances.

Fighting or attempting to injure other employees, supervisors or persons.

Carrying or possession of firearms in a County building at any time without proper authorization.

Misuse or removal of County records or information without prior authorization.

Instigating, leading or participating in any illegal walkouts, strike, sit-down, stand-in, refusal to return to work at the scheduled time for the scheduled shift or other concerted curtailment, restriction or interference with work in or about the County's work stations.

Dishonesty or any dishonest action. (Some examples of what is meant by "dishonesty" or "dishonest action" are: opening desks assigned to other employees without authorization; theft and pilfering through lunch boxes, tool kits or other property of the County or other employees without authorization; inserting slugs in vending machines without paying to proper change therein; making false statements to secure an excused absence or justify an absence or tardiness; making or causing to be made, inaccurate or false reports concerning any absence from work. The foregoing are examples only and do not limit the terms "dishonesty" or "dishonest action.")

Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of the supervisors.

It is the responsibility of the Elected Official/Department Head to notify the Human Resources Manager prior terminating an employee.

Warrick County reserves the right to decide upon the appropriate response to employee misconduct or unsatisfactory performance, including, but not limited to, counseling, reprimand, warning, suspension, or termination, based on all relevant circumstances.

Accordingly, the County will not necessarily adhere to the three (3) step progressive discipline system in all circumstances. Rather, the purpose of progressive discipline is to provide management with the opportunity to put employees on notice that their conduct is unsatisfactory so that they may have an opportunity to correct or improve their conduct.

Employees are required to verify receipt of a notice of discipline by their signature on a Notice of Disciplinary Action Form and/or Counseling Statement. In the case of union employees, this

verification can be the signature of an employee representative present at the time the written warning is given. Where the circumstances indicate that progressive discipline is inappropriate or futile, the County may act accordingly.

10. EMPLOYMENT TERMINATION

Since employment with Warrick County is AT-WILL, and based on mutual consent, either the employee or the County has the right to terminate employment at any time, with or without cause.

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation or Retirement: Voluntary employment termination initiated by an employee. Although advance notice is not required, the County requests at least two (2) weeks written notice from the employee prior to the employee's anticipated final date of employment.
- Termination with cause: Involuntary employment termination initiated by the County for disciplinary reasons.
- Release: Involuntary employment termination initiated by the County for non-disciplinary reasons.
- Layoff: Involuntary employment termination initiated by the County for non-disciplinary reasons.

10.1 POST-TERMINATION/SEPARATION PAY, BENEFITS, AND PROCEDURES

Some voluntary elected benefits may be continued at the employee's expense, if the employee chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Except as otherwise provided, all vacation time, sick time (as applicable), and comp. time that is due and payable to an employee at termination will be paid out in a lump sum on the employee's final paycheck. However, if an employee is terminated for cause by the County, the employee shall not be paid for accrued vacation time.

An employee's termination date shall always be the last day he or she physically worked in the office, with the exception of employees on FMLA.

AN EMPLOYEE'S TERMINATION DATE SHALL NOT BE EXTENDED TO GAIN ADDITIONAL PAID OR UNPAID TIME OFF, BENEFITS, OR LONGEVITY PAY.

10.2 EXIT INTERVIEWS

Prior to an employee's departure, an exit interview may be scheduled with the Human Resources Manager upon separation from employment. Exit interviews are scheduled at the time of employment termination to afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the County, or return of County owned property. Suggestions, complaints, and questions may also be expressed.

10.3 RETURN OF PROPERTY

Each employee is responsible for all property, materials, or written information issued to them or in their possession or control. All County property must be returned by an employee on or before his or her last day of employment. The County may take all action deemed appropriate to recover or protect its property.

10.4 VACATION AND SICK TIME PAY AT TERMINATION

Vacation Time

A full-time employee who separates from employment with Warrick County shall be paid for no more than their unused vacation, unless otherwise qualified for sick time payout. The payout of unused vacation time shall be calculated on the employee's current rate of pay at the time of separation. Payout shall be submitted to the Council Administrator by the employees Elected Official or Department Head using Salary Ordinance Form 144. The payout amount will be verified by the Council and Human Resources Manager and will be included on the employee's final paycheck.

Sick Time

An employee who began his or her employment with Warrick County on or after April 15, 2003, will not be compensated for accumulated sick leave upon termination of employment for any reason, whether voluntary or involuntary. Upon retirement or termination, an employee who began his or her employment with Warrick County before April 15, 2003, and who had at least one (1) year of continuous service as of that date, shall be entitled to receive payment – at his or her current rate of pay – for accumulated sick leave as of April 15, 2003, up to a maximum of thirty (30) days, but not to exceed the actual amount of sick leave accrued as of the date of retirement or termination.

EXAMPLE 1: Employee had five (5) days of sick leave as of April 15, 2003. At the time of employee's retirement, he or she had ten (10) days accrued sick leave. Employee is entitled to reimbursement for five (5) days accrued sick leave.

EXAMPLE 2: Employee had thirty (30) days accrued sick leave as of April 15, 2003. At the time of employee's retirement, he or she had fifteen (15) days accrued sick leave. Employee is entitled to reimbursement for fifteen (15) days accrued sick leave.

After the approval of a sick day reimbursement claim by the Board of Commissioners, said claim shall be returned to the department or office in which the employee worked prior to his or her retirement or termination for payment of claim by such department or office.

AN EMPLOYEE'S TERMINATION DATE MAY NOT BE EXTENDED TO GAIN ADDITIONAL VACATION TIME.

Warrick County Employee Handbook

Adopted December 27, 2021

EMPLOYEE ACKNOWLEDGMENT FORM

The Warrick County Employee Handbook describes important information about employment with the County, and I understand that I should consult the Warrick County Commissioners, or the Human Resources Manager, or the County Commissioners Attorney regarding any questions not answered in the Employee Handbook.

Since the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions to the Employee Handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

I understand the descriptive materials contained in the Employee Handbook are only summaries. Any discrepancies between these summaries and the terms of the actual plans will be governed by the terms of the underlying, more detailed policies and procedures. Any questions regarding summaries, their underlying policies and procedures and any discrepancies between them should be directed to my Elected Official/Department Head/Supervisor, the Warrick County Commissioners, the Human Resources Manager, or the County Commissioners Attorney.

I acknowledge that my employment with Warrick County is AT-WILL and that the Employee Handbook is not, nor does it extend, a contract of employment. Sheriff's office merit deputies are subject to the merit board and are not at-will employees.

I have had an opportunity to review the Employee Handbook, and I understand that it is my responsibility to read and comply with the policies contained in the Employee Handbook and any subsequent revisions.

Employee's name (print)

Employee's signature

Date